

City of Niles, Ohio

SPONSORED BY: COUNCIL AS A WHOLE

DRAFT NO. 180-26

AUTHORIZED BY: ALL MEMBERS

ORDINANCE NO. _____

AN ORDINANCE AMENDING CODIFIED ORDINANCE NO. 925.03(A) BY INCREASING THE RATES CHARGED FOR THE USE OF THE SANITARY SEWAGE SYSTEM: FOR THE YEARS 2027 THROUGH 2031; AND DECLARING AN EMERGENCY.

WHEREAS, Ohio Revised Code Section 729.49 authorizes the legislative authority of a municipal corporation to establish just and equitable rates for users of the public sewage system; and,

WHEREAS, Codified Ordinance No. 925.03(A) establishes the rates to be charged for usage of the Niles Sanitary Sewage System; and,

WHEREAS, Raftelis, a local government and utility consultant, was hired to conduct a Utility Rate Study, where their findings suggest a rate increase to fund the Capital Improvement Plan; and,

WHEREAS, Council has determined that it will be necessary to add additional increases of the rates by 13% each year for the years 2027 through the year 2029; and 9% for the year 2030; and 5% for the year 2031.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITYOF NILES, STATE OF OHIO:

SECTION 1: Council hereby amends the sanitary sewage system user rates established in Codified Ordinance No. 925.03(A) as follows:

<u>Monthly Usage</u> <u>Rate per 1000</u> <u>gallons</u> <u>Commencing</u> <u>January 1, 2027</u>	<u>Monthly Usage</u> <u>Rate per 1000</u> <u>gallons</u> <u>Commencing</u> <u>January 1, 2028</u>	<u>Monthly Usage</u> <u>Rate per 1000</u> <u>gallons</u> <u>Commencing</u> <u>January 1, 2029</u>	<u>Monthly Usage</u> <u>Rate per 1000</u> <u>gallons</u> <u>Commencing</u> <u>January 1, 2030</u>	<u>Monthly Usage</u> <u>Rate per 1000</u> <u>gallons</u> <u>Commencing</u> <u>January 1, 2031</u>
\$12.77	\$14.43	\$16.30	\$17.77	\$18.66

<u>Water Meter Size</u>	<u>Monthly Service</u> <u>Fee</u> <u>Commencing</u> <u>January 1, 2027</u>	<u>Monthly Service</u> <u>Fee</u> <u>Commencing</u> <u>January 1, 2028</u>	<u>Monthly Service</u> <u>Fee</u> <u>Commencing</u> <u>January 1, 2029</u>	<u>Monthly Service</u> <u>Fee</u> <u>Commencing</u> <u>January 1, 2030</u>	<u>Monthly Service</u> <u>Fee</u> <u>Commencing</u> <u>January 1, 2031</u>
3/4" and Lower	\$18.36	\$20.75	\$23.45	\$25.56	\$26.84
1"	\$33.90	\$38.31	\$43.29	\$47.18	\$49.54
1.5"	\$63.28	\$71.51	\$80.80	\$88.07	\$92.48
2"	\$98.59	\$111.41	\$125.89	\$137.22	\$144.08
3"	\$144.08	\$162.80	\$183.97	\$200.53	\$210.55
4"	\$242.95	\$274.53	\$310.21	\$338.14	\$355.05
6"	\$302.28	\$341.57	\$385.97	\$420.71	\$441.75
8"	\$381.38	\$430.95	\$486.98	\$530.81	\$557.35
10"	\$480.25	\$542.68	\$613.23	\$668.42	\$701.84
S-Flat	\$82.21	\$92.89	\$104.97	\$114.42	\$120.14

SECTION 2: Council hereby repeals the user rates set forth in existing Section 925.03 (A).

SECTION 3: That this Ordinance is hereby declared to be an emergency measure in the interests of the public health, safety and welfare for the reason that its immediate implementation will enable the City to adjust and apply the increased rates at the earliest time allowable. As such an emergency measure, this ordinance shall take effect upon passage by Council and approval by the Mayor.

Passed: _____

PRESIDENT OF COUNCIL

Attest: _____

CLERK OF COUNCIL

Filed with the Mayor of the City of Niles this _____ day of _____, 2026, and signed by me as such Mayor this _____ day of _____, 2026.

MAYOR

City of Niles, Ohio

SPONSORED BY: COM. DEV. NEIGHBORHOOD STAB. DRAFT NO. 165-26
AUTHORIZED BY: ALL MEMBERS

ORDINANCE NO. _____

AN ORDINANCE APPROVING THE APPLICATION FOR THE CITY FUNDED BUSINESS GRANT APPROVED BY THE COMMUNITY IMPROVEMENT CORPORATION OF NILES FOR IMPERIAL GLAZING CONCEPTS INC.; AND, DECLARING AN EMERGENCY.

WHEREAS, the Community Improvement Corporation of Niles requested applications for a City funded grant for improvement of businesses in the City of Niles.

WHEREAS, the Community Improvement Corporation of Niles approved applications for the reimbursement grant intended for improvement of Imperial Glazing Concepts Inc., located within the City of Niles.

WHEREAS, Council seeks authority to approve the reimbursement grant application submitted by Imperial Glazing Concepts Inc.

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

SECTION 1: Council hereby approves the application submitted by Imperial Glazing Concepts Inc. for the Community Improvement Corporation reimbursement grant.

SECTION 2: This Ordinance is hereby declared to be an emergency measure in the interest of the public health, safety, and welfare so that reimbursements to the business for the improvements can be made at the earliest time allowable. As such an emergency measure, this Ordinance shall take effect upon passage by Council and approval by the Mayor.

PRESIDENT OF COUNCIL

PASSED: _____

ATTEST: _____
CLERK OF COUNCIL

Filed with the Mayor of the City of Niles, Ohio on the _____ day of _____, 2026 and signed by me as such Mayor this _____ day of _____, 2026.

MAYOR

City of Niles, Ohio

SPONSORED BY: COM. DEV. NEIGHBORHOOD STAB. DRAFT NO. 166-26
AUTHORIZED BY: ALL MEMBERS

ORDINANCE NO. _____

AN ORDINANCE APPROVING THE APPLICATION FOR THE CITY FUNDED BUSINESS GRANT APPROVED BY THE COMMUNITY IMPROVEMENT CORPORATION OF NILES FOR TJAKS HOSPITALITY LLC DBA TOMMY DOGGS; AND, DECLARING AN EMERGENCY.

WHEREAS, the Community Improvement Corporation of Niles requested applications for a City funded grant for improvement of businesses in the City of Niles.

WHEREAS, the Community Improvement Corporation of Niles approved an application for the reimbursement grant intended for improvement of TJAKS Hospitality LLC dba Tommy Doggs, located within the City of Niles.

WHEREAS, Council seeks authority to approve the reimbursement grant application submitted by TJAKS Hospitality LLC dba Tommy Doggs.

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

SECTION 1: Council hereby approves the application submitted by TJAKS Hospitality LLC dba Tommy Doggs for the Community Improvement Corporation reimbursement grant.

SECTION 2: This Ordinance is hereby declared to be an emergency measure in the interest of the public health, safety, and welfare so that reimbursements to the business for the improvements can be made at the earliest time allowable. As such an emergency measure, this Ordinance shall take effect upon passage by Council and approval by the Mayor.

PRESIDENT OF COUNCIL

PASSED: _____

ATTEST: _____
CLERK OF COUNCIL

Filed with the Mayor of the City of Niles, Ohio on the _____ day of _____, 2026 and signed by me as such Mayor this _____ day of _____, 2026.

MAYOR

City of Niles, Ohio

SPONSORED BY: JULIAN
AUTHORIZED BY: SAFETY

Amended DRAFT NO. 169-26

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 371.12 “ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICES” OF THE CODIFIED ORDINANCE OF THE CITY OF NILES; AND, DECLARING AN EMERGENCY.

WHEREAS, Council desires to amend Chapter 371.12 Electric Personal Assistive Mobility Devices to improve the safety requirements necessary for night riding of an electric scooter.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NILES, STATE OF OHIO:

SECTION 1: The Niles Code Section 371.12 is hereby enacted to read as follows:

Chapter 371.12 Electric Personal Assistive Mobility Devices (Commonly known as electric scooters)

- a.
 - 1. Electric personal assistive mobility devices may be operated on the public streets, highways, sidewalks, and paths and portions of roadways set aside for the exclusive use of bicycles in accordance with this section.
 - 2. Except as otherwise provided in this section, those sections of this Traffic Code that by their nature are applicable to an electric personal assistive mobility device apply to the device and the person operating it whenever it is operated upon any public street, highway, sidewalk, or path or upon any portion of a roadway set aside for the exclusive use of bicycles.
- b. No operator of an electric personal assistive mobility device shall do any of the following:
 - 1. Fail to yield the right-of-way to all pedestrians and human-powered vehicles at all times;
 - 2. Fail to give an audible signal before overtaking and passing a pedestrian;
 - 3. Operate the device at night unless the device or its operator is equipped with or wearing both of the following:
 - a. A lamp pointing to the front that emits a white light visible from a distance of not less than five hundred feet;
 - b. A red reflector **light or lamp** facing the rear that is visible from all distances from one hundred feet to six hundred feet when directly in front of lawful lower beams of head lamps on a motor vehicle.
 - 4. Operate the device on any portion of a street or highway that has an established speed limit of fifty-five miles per hour or more;
 - 5. Operate the device upon **shared-use path or bicycle path within the City's Greenway Bike Trail, unless operation of device on the path is medically necessary included but not limited to compliance with the Americans with Disabilities Act;**
 - 6. Operate the device unless wearing a protective helmet on the person's head with the chin strap properly fastened;
 - 7. If under sixteen years of age, operate the device unless, during the operation, the person is under the direct visual and audible supervision of another person who is eighteen years of age or older and is responsible for the immediate care of the person under sixteen years of age.

SECTION 2: All other provisions of Chapter 371 shall remain the same.

SECTION 3: This Ordinance is hereby declared to be an emergency measure in the interest of public health, safety and welfare, and for the reason that these changes may be made at the earliest possible opportunity to assist in proper enforcement of the Niles Codified

Ordinances. As such an emergency measure, this Ordinance shall take effect upon passage by Council and approval by the Mayor.

PASSED: _____

ATTEST: _____

PRESIDENT OF COUNCIL

CLERK OF COUNCIL

Filed with the Mayor of the City of Niles, Ohio on the _____ day of _____, 2026
and signed by me as such Mayor on the _____ day of _____, 2026.

MAYOR

City of Niles, Ohio

SPONSORED BY: JULIAN
AUTHORIZED BY: SAFETY

Amended DRAFT NO. 170-26

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 373 “BICYCLES AND MOTORCYCLES” OF THE CODIFIED ORDINANCE OF THE CITY OF NILES; AND, DECLARING AN EMERGENCY.

WHEREAS, Council desires to amend Chapter 373.10 Motorized Bicycle Operation, Equipment and License to define the different classes of electric bicycles and the operation thereof.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NILES, STATE OF OHIO:

SECTION 1: The Niles Code Section 373.10 is hereby enacted to read as follows:

Chapter 373.10 Motorized Bicycle Operation and Penalty (Commonly known as electric bicycles)

1. Definitions

The following definitions apply throughout this chapter. Except as otherwise defined in this section, all definitions in Ohio R.C. 4511.01 apply to this chapter as if fully rewritten herein.

(a) “Bicycle” means a pedal-powered vehicle upon which a human operator sits, including an electric bicycle, as defined in R.C. 4511.01(G).

(b) “Electric bicycle” means a Class 1, Class 2, or Class 3 electric bicycle, as those terms are defined in this section. An electric bicycle is a bicycle for purposes of this Traffic Code and is not a motor vehicle, motorized bicycle, or moped.

(c) “Class 1 electric bicycle” means a bicycle equipped with fully operable pedals and an electric motor of less than seven hundred fifty (750) watts that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches a speed of twenty (20) miles per hour.

(d) “Class 2 electric bicycle” means a bicycle equipped with fully operable pedals and an electric motor of less than seven hundred fifty (750) watts that may provide assistance regardless of whether the rider is pedaling, and that is not capable of providing assistance once the bicycle reaches a speed of twenty (20) miles per hour.

(e) “Class 3 electric bicycle” means a bicycle equipped with fully operable pedals and an electric motor of less than seven hundred fifty (750) watts that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches a speed of twenty-eight (28) miles per hour.

(f) “Shared-use path” or “bicycle path” means a path physically separated from motor vehicle traffic and designated for use by bicycles, electric bicycles, pedestrians, and similar non-motorized traffic.

(g) “Natural surface trail” means a mountain bicycling trail, hiking trail, multi-purpose trail, bridle trail, or other unpaved recreational trail that is not a shared-use path or bicycle path.

2. Electric Bicycles Operation

(a) General Status. An electric bicycle, and its rider, is subject to all provisions of this Traffic Code applicable to bicycles and to the operation of bicycles, except as otherwise expressly provided in this section. No person shall operate an electric bicycle on the sidewalks, streets, paths, or trails of the City except in accordance with this section.

(b) Classification Controls. The classification of an electric bicycle as Class 1, Class 2, or Class 3 is determined by the manufacturer in accordance with R.C. 4511.01, and every electric bicycle manufactured on or after January 1, 2020 shall bear a permanent label, affixed by the manufacturer, indicating its classification, top assisted speed, and motor wattage. No person shall tamper with, alter, or disable the assist-speed governor of an electric bicycle, or modify an electric bicycle so as to change its classification, except as permitted by the manufacturer.

(c) Operation on Streets and Bicycle Lanes. Class 1, Class 2, and Class 3 electric bicycles may be operated on any street, roadway, or bicycle lane within the City on which traditional bicycles are permitted to operate, subject to the same rules of the road applicable to bicycles under Niles Codified Ordinance Chapter 373.

(d) Operation on Shared-Use Paths and Bicycle Paths. **No electric bicycle of any class shall be operated on a shared-use path or bicycle path within the City's Greenway Bike Trail.**

(e) Operation on Natural Surface Trails. No electric bicycle of any class shall be operated on a mountain bicycling trail, hiking trail, bridle trail, or other natural surface trail within the City's parks or recreation areas unless such use has been specifically authorized for that trail by resolution of Council or by the Director of Parks and Recreation.

(f) Sidewalks. Electric bicycles are subject to the same sidewalk restrictions applicable to bicycles under Section 373.11 of this chapter. Consistent with R.C. 4511.711, no provision of this chapter shall be construed to require that bicycles or electric bicycles be operated on a sidewalk, and no person shall operate an electric bicycle on a sidewalk unless its motor is disengaged, except where sidewalk bicycle operation is otherwise permitted by this Traffic Code.

(g) Age and Helmet Requirements for Electric Bicycles.

(1) No person under sixteen (16) years of age shall operate a Class 3 electric bicycle within the City. A person under sixteen (16) years of age may ride as a passenger on a Class 3 electric bicycle that is designed to accommodate passengers.

(2) Every operator of, and every passenger on any class of an electric bicycle shall wear a properly fitted and fastened bicycle helmet that meets the standards of the United States Consumer Product Safety Commission or the American Society for Testing and Materials.

(h) Prohibited Conduct. No person shall:

(1) Operate an electric bicycle at a speed greater than is reasonable and prudent under the conditions then existing, or in excess of the posted speed limit of the street, path, or facility on which it is operated;

(2) Operate an electric bicycle while under the influence of alcohol or any drug of abuse, in violation of Section 333.01 of this chapter or R.C. 4511.19 as applicable to bicycles;

(3) Carry a passenger on an electric bicycle unless the electric bicycle is designed by the manufacturer to carry more than one person;

(4) Operate an electric bicycle that has been modified to exceed the motor wattage, top assisted speed, or throttle-only operability specified for its class under Section 373.10(1).

(5) **Operate the device at night unless the device or its operator is equipped with or wearing both of the following:**

a. A lamp pointing to the front that emits a white light visible from a distance of not less than five hundred feet;

b. A red light or lamp facing the rear that is visible from all distances from one hundred feet to six hundred feet when directly in front of lawful lower beams of head lamps on a motor vehicle.

(i) No Registration or License Required. Consistent with state law, an electric bicycle is not a motor vehicle, and no operator's license, registration, title, or motor vehicle insurance is required to operate an electric bicycle within the City.

(j) Local Authority Reserved. Nothing in this section limits the authority of Council, the Director of Public Service and Safety, or the Director of Parks and Recreation to further restrict, by resolution, ordinance, sign, or rule, the operation of electric bicycles on specific streets, paths, sidewalks, trails, or park property within the City, as authorized by R.C. 4511.522.

3. Penalty

Whoever violates any provision of Section 373.10 is guilty of a minor misdemeanor on a first offense; on a second offense within one year after the first offense, the person is guilty of a misdemeanor of the fourth degree; on each subsequent offense within one year after the first offense, the person is guilty of a misdemeanor of the third degree, consistent with R.C. 4511.522(D) and R.C. 4511.711(B).

SECTION 2: All other provisions of Chapter 373 shall remain the same.

SECTION 3: This Ordinance is hereby declared to be an emergency measure in the interest of public health, safety and welfare, and for the reason that these changes may be made at the earliest possible opportunity to assist in proper enforcement of the Niles Codified Ordinances. As such an emergency measure, this Ordinance shall take effect upon passage by Council and approval by the Mayor.

PASSED: _____

ATTEST: _____

PRESIDENT OF COUNCIL

CLERK OF COUNCIL

Filed with the Mayor of the City of Niles, Ohio on the _____ day of _____, 2026
and signed by me as such Mayor on the _____ day of _____, 2026.

MAYOR

City of Niles, Ohio

SPONSORED BY: COUNCIL AS A WHOLE
AUTHORIZED BY: ALL MEMBERS

DRAFT NO. 182-26

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE DIRECTOR OF TRANSPORTATION TO COMPLETE THE REPLACEMENT OF SHIELD AND MILE MARKER SIGNS ALONG U.S. 422 AND STATE ROUTE 169 IN THE CITY OF NILES, OHIO; AND, DECLARING AN EMERGENCY.

CONSENT LEGISLATION
RC 5521.01

Ordinance/Resolution# _____
PID No. **116446**
County/Route/Section **D04 SIGN FY2028 (Systematic)**

The following is an Ordinance enacted by the City of Niles of Trumbull
(Ordinance/Resolution) (Local Public Agency)
County, Ohio, hereinafter referred to as the Local Public Agency (LPA).

SECTION I - Project Description

WHEREAS, the LPA has identified the need for the described project:

Replacement of US and SR shield and mile marker signs along US 422 and SR 169 in the City of Niles.

NOW THEREFORE, be it ordained by the City of Niles of Trumbull County, Ohio.
(LPA)

SECTION II - Consent Statement

Being in the public interest, the LPA gives consent to the Director of Transportation to complete the above described project.

SECTION III - Cooperation Statement

The LPA shall cooperate with the Director of Transportation in the above described project as follows:

The State shall assume and bear 100% of all of the costs of the improvement.

The LPA further agrees to pay One Hundred Percent (100%) of the cost of those features requested by the LPA which are determined by the State and Federal Highway Administration to be unnecessary for the Project.

SECTION IV - Utilities and Right-of-Way Statement

The LPA agrees that all right-of-way required for the described project will be acquired and/or made available in accordance with current State and Federal regulations. The LPA also understands that right-of way costs include eligible utility costs.

SECTION V - Maintenance

Upon completion of the described Project, and unless otherwise agreed, the LPA shall: (1) provide adequate maintenance for the described Project in accordance with all applicable state and federal law, including, but not limited to, 23 USC 116; (2) provide ample financial provisions, as necessary, for the maintenance of the Project; (3) maintain the right-of-way, keeping it free of obstructions; and (4) hold said right-of-way inviolate for public highway purposes.

SECTION VI - Authority to Sign

The Mayor of said City of Niles is hereby empowered
(Contractual Agent) (LPA)
on behalf of the City of Niles to enter into contracts with the Director of
(LPA)
Transportation which is necessary to complete the above described project.

Passed: _____,
(Date)

Attested: _____
(Clerk) (Officer of LPA - Mayor)

Attested: _____
(Clerk) (President of Council)

SECTION VII - Declaration of Emergency

This Ordinance is hereby declared to be an emergency measure to
(Ordinance/Resolution)
expedite the highway project(s) and to promote highway safety. Following appropriate legislative action, it shall take effect and be in force immediately upon its passage and approval, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

CERTIFICATE OF COPY
STATE OF OHIO

City of Niles of Trumbull County, Ohio,
(LPA)

Abbey Lavelle, as Clerk of the City of Niles
(LPA)

of Trumbull County, Ohio, do hereby certify that the forgoing is a true and
correct copy of _____ adopted by the legislative Authority of the said
(Ordinance/Resolution)

City of Niles on the _____ day of _____, 20 _____
(LPA)

that the publication of such _____ has been made and certified of
(Ordinance/Resolution)

record according to law; that no proceedings looking to a referendum upon such
_____ have been taken; and that such _____
(Ordinance/Resolution) (Ordinance/Resolution)

and certificate of publication thereof are of record in _____ Page _____
(Ordinance/Resolution Record No.)

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if
applicable, this _____ day of _____,

CITY SEAL _____ Clerk

City of Niles of Trumbull County, Ohio
(LPA)

(If the LPA is designated as a City then the “City Seal” is required. If no Seal, then a letter stating “No
Seal is required to accompany the executed legislation.)

The foregoing is accepted as a basis for proceeding with the project herein described.
For the _____ City of Niles of Trumbull County, Ohio
(LPA)

Attest: _____, Date _____

City of Niles, Ohio

SPONSORED BY: FINANCE
AUTHORIZED BY: JOHNSTONE

DRAFT NO. 183-26

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED POLICE AND FIRE FUND FOR PURCHASE OF A LADDER TRUCK; AND, DECLARING AN EMERGENCY.

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

SECTION 1: Council hereby authorizes the following appropriations of funds from the Unappropriated Police and Fire ‘Fund to the following account listed below in the total amount of One Million One Hundred Forty-Two Thousand Six Hundred Sixty-Four Dollars and 00/100 (\$1,142,664.00):

APPROPRIATION FROM UNAPPROPRIATED FUNDS			
FUND	ACCOUNT NUMBER	DESCRIPTION	Appropriation
217 - Police & Fire	217-1715-56300	Equipment Purchases	\$1,142,664.00
Total Appropriation			\$1,142,664.00

SECTION 2: This Ordinance is hereby declared to be an emergency measure in the interest of the public health, safety and welfare, for the reason that the funds are needed immediately so that the fire truck may be purchased at the earliest possible date. As such an emergency measure, this Ordinance shall take effect upon passage by Council and approval by the Mayor.

PRESIDENT OF COUNCIL

PASSED: _____

ATTEST: _____
CLERK OF COUNCIL

Filed with the Mayor of the City of Niles, Ohio on the _____ day of _____, 2026 and signed by me as such Mayor this _____ day of _____, 2026.

MAYOR

City of Niles, Ohio

SPONSORED BY: FINANCE
AUTHORIZED BY: JOHNSTONE

DRAFT NO. 184-26

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AN APPROPRIATION BUDGET TRANSFER;
AND, DECLARING AN EMERGENCY.

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

SECTION 1: Council hereby authorizes the following appropriation budget transfer in the total amount of Four Thousand Five Hundred Dollars and 00/100 (\$4,500.00):

APPROPRIATION BUDGET TRANSFERS			
FUND	ACCOUNT NUMBER	DESCRIPTION	Appropriation
219 - Computer	219-1919-53410	Postage	\$4,500.00
219 - Computer	219-1919-55150	Equipment Maintenance	(\$4,500.00)

SECTION 2: This Ordinance is hereby declared to be an emergency measure in the interest of the public health, safety and welfare, for the reason that the funds are needed immediately in order for the City to proceed with their daily administrative function. As such an emergency measure, this Ordinance shall take effect upon passage by Council and approval by the Mayor.

PRESIDENT OF COUNCIL

PASSED: _____

ATTEST: _____
CLERK OF COUNCIL

Filed with the Mayor of the City of Niles, Ohio on the _____ day of _____, 2026 and signed by me as such Mayor this _____ day of _____, 2026.

MAYOR

City of Niles, Ohio

SPONSORED BY: FINANCE
AUTHORIZED BY: JOHNSTONE

DRAFT NO. 185-26

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING MONTHLY CASH TRANSFERS; AND,
DECLARING AN EMERGENCY.

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

SECTION 1: Authorizing the cash transfer of One Million Six Hundred Forty
Thousand Dollars and 00/100 (\$1,640,000.00) from the General Fund Account No: 101-
1090-59000 to the following Funds:

Cash Transfers - October		
From General Fund 101 TRANSFER Account 101-1090-59000 To:		
Fund 215	Police Pension	\$45,000.00
Fund 216	Fire Pension	\$50,000.00
Fund 217	Police & Fire 1%	\$1,000,000.00
Fund 221	Park	\$500,000.00
Fund 255	Cemetery	\$45,000.00
	TOTAL CASH TRANSFER	\$1,640,000.00

SECTION 2: This Ordinance is hereby declared to be an emergency measure in
the interest of the public health, safety, and welfare for the reason that these funds are to
be transferred on a regular basis. As such an emergency measure, this Ordinance shall
take effect immediately upon passage by Council and approval by the Mayor.

PRESIDENT OF COUNCIL

PASSED: _____

ATTEST: _____
CLERK OF COUNCIL

Filed with the Mayor of the City of Niles, Ohio on the _____ day of
_____, 2026 and signed by me as such Mayor on this _____
day of _____, 2026.

MAYOR

City of Niles, Ohio

SPONSORED BY: FINANCE
AUTHORIZED BY: JOHNSTONE

DRAFT NO. 186-26

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED TECHNOLOGY FUND FOR THE HOUSING AND ZONING DEPARTMENT; AND, DECLARING AN EMERGENCY.

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

SECTION 1: Council hereby authorizes the following appropriations of funds from the Unappropriated Technology Fund to the following account listed below in the total amount of Two Thousand Nine Hundred Sixteen Dollars and 66/100 (\$2,916.66):

APPROPRIATION FROM UNAPPROPRIATED FUNDS			
FUND	ACCOUNT NUMBER	DESCRIPTION	Appropriation
General Fund 101	101-1050-56800	Technology	\$2,916.66
Total Appropriation			\$2,916.66

SECTION 2: This Ordinance is hereby declared to be an emergency measure in the interest of the public health, safety and welfare, for the reason that the funds are needed immediately so that the Housing and Zoning Department may extend coverage of their web portal assistant without interruption. As such an emergency measure, this Ordinance shall take effect upon passage by Council and approval by the Mayor.

PRESIDENT OF COUNCIL

PASSED: _____

ATTEST: _____
CLERK OF COUNCIL

Filed with the Mayor of the City of Niles, Ohio on the _____ day of _____, 2026 and signed by me as such Mayor this _____ day of _____, 2026.

MAYOR

City of Niles, Ohio

SPONSORED BY: COUNCIL AS A WHOLE
AUTHORIZED BY: ALL MEMBERS

DRAFT NO. 187-26

ORDINANCE NO. _____

AN ORDINANCE AMENDING NILES ZONING CODE SECTION 1141; AND,
DECLARING AN EMERGENCY.

WHEREAS, in compliance with Niles Codified Ordinance (NCO) 1117.02 and NCO 1117.03, the proposed changes were submitted to the Planning Commission for review; and

WHEREAS, the planning commission held a public meeting on August 12, 2026 and recommended the proposed amendment be granted; and

WHEREAS, pursuant to NCO 117.04, upon receipt of the recommendations from the planning commission, Council scheduled a public hearing on October 7, 2026, prior to the scheduled regular Council meeting; and

WHEREAS, in compliance with NCO 1117.05, Council desires to accept the recommendations of the planning commission and approve the zoning amendment.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NILES, STATE OF OHIO:

SECTION ONE: Council hereby accepts the recommendation of the planning commission, see attached.

SECTION TWO: That the zoning ordinances and zoning map of the City of Niles, Ohio, be and hereby are amended to incorporate the changes set forth herein and in accordance with the planning commission recommendations.

SECTION THREE: This Ordinance is hereby declared to be an emergency measure in the interest of the public health, safety, and welfare for the reason that the zoning code amendments can take effect at the earliest time allowable. As such an emergency measure, this Ordinance shall take effect upon passage by Council and approval by the Mayor.

PRESIDENT OF COUNCIL

PASSED: _____

ATTEST: _____
CLERK OF COUNCIL

Filed with the Mayor of the City of Niles, Ohio on the _____ day of _____, 2026 and signed by me as such Mayor on the _____ day of _____, 2026.

MAYOR

Chapter 1141 B-3 General Commercial District

1141.01 Permitted Uses

1141.02 Height And Bulk

1141.03 Required Lot Area

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1141.06 Off-Street Parking And Loading

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1141.08 Storm Water Management Requirements

CROSS REFERENCES Height exceptions - see P. & Z. 1157.02

Rear yard measurement - see P. & Z. 1157.03

1141.01 Permitted Uses

Within any B-3 General Commercial District, no building, structure or premises shall be used or arranged or designed to be used in any part except for one or more of the following uses:

- a. Retail stores and businesses.
- b. Advertising signs, structures or billboards.
- c. Amusement establishments such as billiard or pool hall or bowling alley, provided such establishment is located and conducted within a completely enclosed building and is not located nearer than 100 feet to any residence district.
- d. Auditorium.
- e. Art or antique shop. (Ord. 9826-70. Passed 12-2-70.)
- f. Automobile service station, provided:
 1. Any tire and tube repairing, battery charging and storage are conducted wholly within a building.
 2. No entrance or exit shall be located within 50 feet of any residence district. (Ord. 25-16. Passed 6-15-16.)
- g. Automobile sales room and service establishment, provided any such services for repairs shall be entirely located within a building.
- h. Bakery.

- i. Barber shop, beauty parlor.
- j. Bank.
- k. Book store.
- l. Baseball or football stadium.
- m. Baths, Turkish or Swedish or similar establishments.
- n. Bird store or pet shop; taxidermist.
- o. Business college.
- p. Blueprinting or photostating.
- q. Carpenter or cabinet shop.
- r. Catering establishment.
- s. Confectionery store.
- t. Drug store.
- u. Dry goods or notions store.
- v. Dry cleaning and pressing establishment, provided only nonexplosive and nonflammable fluid is utilized.
- w. Department store, furniture store, radio store.
- x. Drive-in business where persons are served food or where purchases can be made from an automobile.
- y. Feed or fuel store, wholly within a building.
- z. Florist or gift shop.
- aa. Film exchange.
- ab. Frozen food locker not including wholesale cold storage.
- ac. Hardware or electric appliance store.
- ad. Grocery, fruit or vegetable store.
- ae. Hotel, motel.
- af. Ice storage house of not more than five tons capacity.
- ag. Interior decorating shop.

- ah. Jewelry store.
- ai. Laundry.
- aj. Medical or dental clinic and laboratory.
- ak. Meat market, delicatessen store.
- al. Music conservatory or music instruction.
- am. Newsstands.
- an. Office, business or professional.
- ao. Pawnshop.
- ap. Plumbing or sheet metal shop, if conducted wholly within a completely enclosed building.
- aq. Printing, lithographing or publishing.
- ar. Photographer.
- as. Public garage, public parking area.
- at. Restaurant, tea room, cafe, tavern.
- au. Shoe store, shoe repair shop.
- av. Second-hand store, if conducted wholly within a completely enclosed building.
- aw. Sign painting shop.
- ax. Studio.
- ay. Theater.
- az. Tailor, clothing or wearing apparel shop.
- ba. Tire shop.
- bb. Trade or commercial school, provided there are no objectionable features such as noise, odor or vibration.
- bc. Undertaking establishment, funeral home.
- bd. Upholstering shop.
- be. Used car sales, provided if such use is not located in a building and also located on any lot adjoining a residence district, such use shall be screened from such residence

district by a fence or wall seven feet high and further provided no such sales lot shall be illuminated after 10:00 p.m.

bf. Wholesale merchandise broker, excluding wholesale storage.

bg. Other uses which in the judgment of the Board of Zoning Appeals are of the same general character as those listed in this section and which will not be detrimental to the district in which they are located.

bh. Uses customarily incident to any of the above uses when located on the same lot, provided:

1. There shall be no manufacture, compounding, processing or treatment of products other than that which is clearly incidental and essential to a retail store or business and where all such products are sold at retail upon the premises.
2. There shall be no killing of livestock.
3. Such uses, operations or products are not objectionable due to odor, dust, smoke, noise, vibration or other similar causes.
4. Accessory buildings located on the same lot. (Ord. 9826-70. Passed 12-2-70.)

bi. Condominium Developments. The regulations as set forth in Section 1157.11 shall apply. (Ord. 72-82. Passed 9-1-82.)

bj. Storage buildings.

bk. Day care centers permitted by Ohio law.

bl. Roller/ice skating rinks. (Ord. 05-10. Passed 4-7-10.)

bm. Any use permitted in any of the Neighborhood Districts or Commercial Districts.

1141.02 Height And Bulk

No building may be built to a height exceeding one and one-half times the width of the street upon which the building fronts. Buildings may exceed this height limit provided the portion of the building in excess of the above height limit is set back from every street and lot line one foot for every additional three feet of height. The height limitations of the street upon which the building fronts shall govern for a distance of 120 feet along a narrower intersecting street. (Ord. 9826-70. Passed 12-2-70.)

1141.03 Required Lot Area

The minimum lot area required for lots in this district is ten thousand, five hundred (10,500) square feet. (Ord. 05-10. Passed 4-7-10.)

1141.04 Percentage Of Lot Coverage

The maximum percentage of lot coverage for buildings constructed within this district shall be fifty percent (50%) of the lot. The maximum percentage of lot coverage for impervious surface shall be seventy-five percent (75%). (Ord. 05-10. Passed 4-7-10.)

1141.05 Yards Required

1. **Front.** The front yard building setback line for all buildings and accessory buildings facing a road, street or highway with no more than three (3) lanes of traffic shall be a minimum of thirty feet (30'). The front yard building setback line for all buildings and accessory buildings facing a road, street or highway with more than three (3) lanes of traffic shall be a minimum of fifty feet (50').

2. **Side.** The minimum width of any side yard shall be ten feet (10'), and both side yards shall together be not less than twenty-five feet (25') in order to assure access of fire fighting equipment.

Where a lot abuts any residence district lot, and subject to any requirements of Section 1157.12 (Buffer Zone Requirements), there shall be a side yard clearance on the side abutting the residence district of thirty feet (30') (Ord. 05-10. Passed 4-7-10.)

3. **Rear.** Rear yards shall only be required where such yard abuts any residence district. In such cases rear yards shall be a minimum of thirty feet. Such space shall remain open and unoccupied by any building or accessory building.

Any building designed exclusively for residence purposes within any commercial district shall have provided on the lot with such building, a rear yard, the minimum depth of which shall be thirty feet, which depth shall be increased by five feet for each additional story above the first story. In any commercial district, any building used for both residence and commercial purposes shall have a rear yard for the portion of the building used for residence purposes which rear yard shall have a minimum depth of twenty feet which depth shall be increased by four feet for each story above the first story. (Ord. 9826-70. Passed 12-2-70.)

An accessory building not over twelve feet (12') high at the eaves may be located in the rear yard, provided such building occupies not more than twenty-five percent (25%) of the area of the rear yard, and provided any such detached accessory building is located at least ten feet (10') from the furthest projection of the main building and is at least five feet (5') from any lot line. (Ord. 05-10. Passed 4-7-10.)

1141.06 Off-Street Parking And Loading

See Chapter 1153, Off-Street Parking and Loading. (Ord. 9826-70. Passed 12-2-70.)

1141.07 Signs And Outdoor Advertising

See Section 1157.01. (Ord. 9826-70. Passed 12-2-70.)

1141.08 Storm Water Management Requirements

All land situated in the B3 General Commercial District which is newly developed and/or redeveloped for the permitted uses set forth in Sections (i) 1131.01 (a) and (b), (ii) 1133.01 and (iii) 1135.01 of the Codified Ordinances of Niles, Ohio, shall be governed by the following storm water management requirements:

1. Permits and final approvals must be obtained from the City Engineer.
2. Storm Water Quantity Control- For new development and/or redevelopment projects, both of which disturb one or more acres of land, in the B-3 Commercial District, the peak rate control method shall be the design criteria for storm water quantity control. This method requires that the post-developed peak outflow shall not exceed the pre-developed peak outflow for the same design storm. This shall be applicable to all design storm events. The design storms shall have a 24 hour duration and shall be calculated for the 1, 2, 5, 10, 25, 50 and 100 year storm events.
3. Storm Water Quality Control- The current Ohio Environmental Protection Agency (OEPA) regulations shall be applicable for all new and/or redevelopment projects. Furthermore, requirements for redevelopment projects as set forth in subsection "Storm Water Management on Redevelopment Projects," found in Chapter 922.09 entitled "Performance Standards" of the Codified Ordinances of Niles, Ohio, shall also be applicable to such projects.
4. Roadway
 1. Open ditch roadways are acceptable. Roadways dedicated to the City of Niles will be subject to Section **907.01 Minimum Requirements**.
 2. Quantity control facilities accepting storm water runoff from the roadway may be expanded to accept runoff from future development areas at the property owner's expense provided the future expansion area is located on the property owner's lot.
 3. The property owner is responsible for maintaining open stormwater control facilities per Section 521.17 of the Niles codified ordinance.

5. Review of Plans- In lieu of the City of Niles standard review of storm water management plans and design calculations, the property owner, at its discretion, may hire a third-party review engineer to conduct and/or expedite the review of the property owner's storm water management plans and design calculations.