



COUNCIL REGULAR MEETING AGENDA

September 28, 2026 at 6:30 P.M.

Council Chambers

Council Members: President T. Harriman, T. Arnold, J. Eudaily, A. Lewis, J. Sintz, M. Terry

Mayor: Jody Carney **Village Administrator:** Haley Lupton

Police Chief: Dale McKee **Director of Finance:** Renee Sonnett **Director of Law:** Paul-Michael La Fayette

Call to Order: Pledge of Allegiance

Approvals: Agenda: Council Regular Meeting – September 28, 2026
Minutes: Council Regular Meeting – September 14, 2026

Proclamation: None.

Visitors: None.

Reports:

- Mayor
- Village Administrator
- Finance Director
- Police Chief
- Council President
- Law Director
- Economic Development Committee
- Board of Zoning Appeals
- Planning & Zoning Commission
- Parks & Recreation Committee
- Personnel & Finance, CIP Committee
- Fire Board
- Plain City Area Development Corporation
- PCBA/Union County Chamber of Commerce/Madison County Chamber of Commerce
- Parks Master Plan Committee

Discussion Items:

- Data Center Update
- Facility Rental and Lease Policy for Nonprofit Organizations

Public Hearing: None.

Motion: To Appoint Mark Keene to Serve on the Plain City Area Development Corporation Board of Directors with a Term to Expire December 31, 2027

Motion: To Appoint Shelby Powell to Serve on the Plain City Area Development Corporation Board of Directors with a Term to Expire December 31, 2028

Unfinished Business:

2nd Reading Ordinance 41-2026: Amending the Codified Ordinances, Chapters 301, 371, and 373, of the Traffic Code (*e-bicycles and e-scooters*)

Administration:

Council:

2nd Reading Resolution 41-2026: Accepting Public Improvements Constructed for The Run at Hofbauer Preserve, Section 2

Administration:

Council:

2nd Reading Resolution 42-2026: Approving a Lease Agreement Between the Village of Plain City and Rooted Village for the Use of The Loft at Public Square

Administration:

Council:

New Business:

1st Reading Resolution 43-2026: Authorizing and Implementing the Facility Rental and Lease Policy for Nonprofit Organizations

Administration:

Council:

Adjourn



COUNCIL REGULAR MEETING MINUTES
September 14, 2026 at 6:30 P.M.
Council Chambers

Council Members: President T. Harriman, T. Arnold, J. Eudaily, A. Lewis, J. Sintz, M. Terry

Mayor: Jody Carney **Village Administrator:** Haley Lupton

Police Chief: Dale McKee **Director of Finance:** Renee Sonnett **Director of Law:** Paul-Michael La Fayette

Call to Order: Mayor Carney called the meeting to order at 6:30 P.M., followed by the Pledge of Allegiance.

Present: Jody Carney, Toni Arnold, Jim Eudaily, Tyler Harriman, Aaron Lewis, Jamey Sintz, and Michael Terry.

Absent: None.

Approvals:

Agenda: Council Regular Meeting – September 14, 2026

Mr. Sintz motioned to approve the September 14, 2026 agenda, seconded by Mr. Harriman. All in favor. The September 14, 2026 agenda is approved.

Minutes: Council Special Meeting – September 2, 2026

Ms. Arnold motioned to approve the September 2, 2026 minutes, seconded by Mr. Lewis. All in favor. The September 2, 2026 minutes are approved.

Proclamation: None

Visitor: None.

Reports:

- Mayor: Mayor thanked all staff for their hard work regarding the Corn Carnival event, including the logistics of cancelling the event due to inclement weather. She is grateful that several of the Corn Carnival activities will be added to the Fall Festival.
- Village Administrator: Ms. Lupton reported that the High Wheel Race and the Corn Carnival Royalty events were held successfully and well attended, despite the Corn Carnival event being cancelled due to inclement weather. She stated that this week is the final week for brush collection, after which the Public Works Department will begin preparing for leaf collection. The N. Chillicothe Street crosswalk between Pastime Park and the Run at Hofbauer Preserve residential subdivision has been completed, excluding minor gutter repairs. Ms. Lupton thanked staff, Council, and Mayor Carney for their hard work on the Corn Carnival. Ms. Lupton stated that she is excited that several of the events will occur during the Fall Festival in October 2026.
- Finance Director: Nothing to report.
- Police Chief: Chief McKee stated that Detective Greenbaum has officially retired. His retirement ceremony occurred Friday, September 11, 2026 and was well attended. He stated that Officer Drudy has formally begun his new role as Detective. Additionally, two conditional offers were extended for the two police officer positions, both of which were accepted. Background investigations are being conducted by Officer Drudy. One candidate is a lateral transfer from another law enforcement agency and the other candidate will attend a police academy. Chief McKee provided a reminder regarding the Cops and Cars car show that will occur September 26, 2026 at 1:00 P.M.

Discussion Items:**Parks Master Plan:**

Mr. Doug Boyer, on behalf of EDGE, thanked Council for the opportunity to speak. He provided an overview regarding the Parks Master Plan project, including past activities and completed milestones. The plan preparation has included extensive public input and stakeholder interviews. Mr. Boyer referenced an overall history of the subject properties in the Parks Master Plan, including Pastime Park and the former Ranco property. Mr. Boyer discussed the remediation actions that have occurred within the Ranco property. Additional information was provided regarding the future uses of the subject properties, as indicated by public input, stakeholder interviews, and comments provided by the Parks Master Plan Committee. Mr. Boyer discussed the results from the public input surveys as well. Mr. Boyer stated that the consultant team will begin prioritizing the desired improvements and identifying potential locations for such improvements and amenities. Incorporating the extensive public input is a key facet of the overall Parks Master Plan project as well. Mr. Boyer described the draft goals of the plan, with the preliminary goals being founded upon Committee comments, public input, and stakeholder interviews. Mr. Boyer stated that upcoming action items include further plan development and identifying funding sources for the proposed improvements and amenities.

Ms. Arnold inquired if all feasible options are being considered for the future of the parks, including the Aquatic Center. Mr. Boyer stated that all options are being considered but acknowledged that various factors impact the feasibility of future improvements. The importance of pedestrian safety and adequate vehicular traffic patterns was discussed as well. Pedestrian connectivity was also discussed as a focal point for any proposed improvements, notably in Pastime Park. Discussion took place regarding the necessity of additional parking areas within Pastime Park as well. Council thanked Mr. Boyer for the information and project update.

Rooted Village Lease:

Ms. Lupton provided an overview regarding the proposed lease, as presented by the non-profit organization known as Rooted Village. The proposed lease is further outlined in Resolution 42-2026. Mayor Carney provided additional context regarding the organization and request to lease space at The Loft at Public Square. Mayor Carney is supportive of the proposed lease. Discussion took place regarding the timeframe in which the organization would be allowed to use the rental facility. More specifically, time greater than one hour per week may be desired. Mr. Lewis stated his support for the proposed lease, including the discounted rental rate. Ms. Arnold noted the importance of developing standardized criteria for reviewing requests such as these as rental facility usage increases. Ms. Linda Granger, the Parks and Recreation Director, provided information regarding the current rental policies, which include half-day and full-day rentals. Mr. Terry referenced previous Council discussions and noted that it may be difficult to amend rental rates in certain circumstances when a non-profit rate has been set forth in the rental policy. Additional discussion took place regarding the proposed rental rate. Council thanked Ms. Lupton for the information.

Comprehensive Plan:

Ms. Lupton stated that the consultant, MKSK Studios, has revised the proposed Comprehensive Plan according to the Council comments received at a prior meeting. Mr. Kyle May, on behalf of MKSK Studios, introduced himself and thanked Council for their time this evening. Mr. May added that an updated memorandum outlining the changes has been provided to Council in the pre-meeting document packet as well.

Ms. Arnold noted that page 158 of the plan still denotes the old elementary school site as a potential mixed-use development site. She would prefer that the language change so that such a use is not recommended and the site remain a potential public use site. Mayor Carney stated her support for Ms. Arnold's recommendation. Mr. May stated his understanding and agreement with the proposed change. Ms. Lupton confirmed that the plan could be adopted with the suggested revisions. Additional discussion took place regarding the public review of the proposed plan.

Mr. Sintz noted that several components of the plan reference high-density residential uses in the Uptown area, which generally conflicts with the received public comment. Additional discussion took place regarding the logistics and ideal placement of high-density residential areas within the Village. Mr. May noted that Council retains the ability and discretion to determine the final character and aesthetic of future developments within the Village and the Uptown area. At the request of Council, Ms. Lupton provided information regarding future plan updates. Council further discussed the revised plan and its components, including recommended land usage. Council thanked Mr. May and his team for their exceptional work and time on the Comprehensive Plan project.

Unfinished Business:

2nd Reading Ordinance 39-2026: Approving Current Replacement Pages to the Plain City Codified Ordinances

Administration: No comments.

Council: No comments.

Mr. Harriman motioned to approve Ordinance 39-2026, seconded by Mr. Sintz. All in favor. Ordinance 39-2026 is approved.

Tabled Business:

2nd Reading Resolution 26-2026: Adopting the 2026 Plain City Comprehensive Plan Update

Administration: No comments.

Council: No comments.

Mr. Terry motioned to bring Resolution 26-2026 off of the table, seconded by Mr. Sintz. All in favor. Resolution 26-2026 has been brought off of the table.

Mr. Terry motioned to approve Resolution 26-2026 as amended by Ms. Arnold, seconded by Mr. Sintz. All in favor. Resolution 26-2026 is approved as amended.

New Business:

1st Reading Ordinance 41-2026: Amending the Codified Ordinances, Chapters 301, 371, and 373, of the Traffic Code

Administration: No comments.

Council: No comments.

1st Reading Resolution 40-2026: Authorizing the Granting and Execution of a Water Line Easement with the Mid-Ohio Water and Sewer District and Waiving the Second Reading

Administration: Ms. Lupton stated that the Mid-Ohio Water & Sewer District will be granting a credit of one water tap in exchange for the easement.

Council: No comments.

Mr. Harriman motioned to waive the second reading of Resolution 40-2026, seconded by Mr. Lewis. All in favor. The second reading of Resolution 40-2026 has been waived.

Mr. Harriman motioned to approve Resolution 40-2026, seconded by Ms. Arnold. All in favor. Resolution 40-2026 is approved.

1st Reading Resolution 41-2026: Accepting Public Improvements Constructed for The Run at Hofbauer Preserve, Section 2

Administration: No comments.

Council: No comments.

1st Reading Resolution 42-2026: Approving a Lease Agreement Between the Village of Plain City and Rooted Village for the Use of The Loft at Public Square

Administration: No comments.

Council: No comments.

Executive Session: Pursuant to Ohio Revised Code Section 121.22(G)(2): To consider the purchase of property for public purposes.

Staff members Ms. Lupton, Ms. Sonnett, Chief McKee, Mr. Jason Stanford the Development Director, Ms. Granger, and Ms. Ashley Hetzel the Law Director attended the Executive Session. Mayor Carney stated that no additional business will be conducted after the Executive Session.

Mr. Sintz motioned to enter Executive Session pursuant to Ohio Revised Code Section 121.22(G)(2), seconded by Mr. Harriman. All in favor. Executive Session entered into at 7:34 P.M.

Mr. Terry motioned to exit the Executive Session, seconded by Mr. Harriman. All in favor. Executive Session exited at 7:46 P.M.

Adjourn:

Mr. Sintz motioned to adjourn, seconded by Mr. Harriman. All in favor. Meeting adjourned at 7:46 P.M.



MEMORANDUM

To: Village of Plain City Council Members

From: Jason Stanford, Development Director

CC: Haley Lupton, Administrator

Date: September 28, 2026

RE: Data Center Regulations Update

Background

On August 10, 2026, Plain City Village Council voted to establish a 12-month moratorium on new data center development applications for properties lacking pre-existing data center entitlements. To date, the Village has not received any proposals for data center development.

As part of the moratorium, Council directed staff to provide periodic updates regarding the data center industry and to continue evaluating potential regulations. This memorandum provides an update on recent industry, federal, state, and regional developments and identifies areas staff intends to evaluate during the remainder of the moratorium.

Data Center Industry Update

Continued Growth - Major technology companies continue to make significant investments in computing infrastructure to support artificial intelligence (AI), cloud computing, and other digital services. The scale and pace of these investments have contributed to substantial growth in demand for data center capacity.

Evolving Computing Workloads - The data center industry continues to evolve from a primary focus on AI model training toward AI inference, or the operation of trained models in real-world applications. Training and inference workloads can have different power-density, utilization, and cooling requirements. As the industry continues to develop, these changing workloads may affect the design and operation of future data centers.

Electricity and Infrastructure Constraints - Electricity availability has become an increasingly important consideration in data center site selection and development. National forecasts vary, but several recent analyses project that data centers could account for approximately 10% or more of total U.S. electricity demand by 2030.

The rapid increase in proposed electrical loads has created challenges for utilities and regional transmission organizations, including PJM Interconnection. In some markets, including Ohio, utilities and regulators are

increasingly scrutinizing proposed data center loads, including whether projects have secured sufficient financing, whether anticipated loads are likely to materialize, and how associated infrastructure costs should be allocated. Recent reporting has highlighted concerns about speculative or uncertain load requests and the potential effect of those requests on grid planning and consumer costs.

In response to these challenges, data center operators and developers are evaluating technologies intended to reduce infrastructure impacts. These include closed-loop and other water-efficient cooling systems, on-site generation of natural gas and nuclear power, and other approaches intended to provide reliable electricity while reducing reliance on the public grid.

Market and Investment Considerations

The rapid pace of AI infrastructure investment has also generated discussion regarding the long-term sustainability of current levels of capital expenditure. Areas of uncertainty include the pace of AI adoption, improvements in computing efficiency, hardware replacement cycles, and the potential for changes in demand for computing capacity.

Very recently, some financial analysts and tech executives have raised concerns about the substantial capital investment occurring throughout the AI infrastructure sector and the revenues ultimately generated by AI-related products and services. Tech companies have also continued to evaluate the pace and scale of infrastructure investment as computing technologies and AI models evolve.

These issues do not necessarily establish that demand for data centers will decline. However, they are relevant because data center facilities represent substantial and highly specialized investments. Changes in technology, workload requirements, or market conditions could affect the future utilization of data center facilities. This reinforces the importance of considering not only the immediate economic effects of a proposed facility, but also long-term infrastructure, land use, utility, and community impacts.

Federal Policy

The federal government continues to identify artificial intelligence and related infrastructure as significant priorities. The Trump administration has pursued policies intended to accelerate AI infrastructure investment and streamline federal permitting and infrastructure development.

At the same time, federal policymakers have increasingly focused on the potential effects of data center development on electricity markets and utility customers. Earlier this month, the U.S. House advanced the *Ratepayer Protection Act*, which addresses how costs associated with large data center loads are allocated.

The evolving federal policy environment is relevant to local governments because changes to federal permitting, energy policy, infrastructure investment, and utility regulation may affect the economics and feasibility of future data center projects.

State of Ohio and Legislative Developments

Ohio continues to experience significant data center development activity, particularly in Central Ohio, where access to land, electrical infrastructure, water resources, and regional fiber networks has contributed to the area's attractiveness for large-scale facilities.

The rapid pace of development has also generated discussion at the state level regarding tax incentives, utility costs, infrastructure requirements, environmental considerations, and local regulatory authority.

House Bill 646 - House Bill 646 was originally introduced to establish a Data Center Study Commission. The legislation subsequently underwent substantial changes during Senate consideration. The Senate substitute included provisions addressing Ohio's existing data center sales tax exemption, electric service requirements, and other regulations.

However, lawmakers did not reach agreement on comprehensive data center legislation before recess. As a result, the state regulatory framework remains subject to future legislative action.

Ratepayer and Grid-Cost Considerations - Data center growth has also generated attention regarding the allocation of electricity costs. State and federal policymakers are considering approaches intended to ensure that costs attributable to large industrial users are not shifted disproportionately to residential utility customers.

Additional Regulatory Proposals - Other proposals introduced during the current legislative session have considered more significant changes to the regulation of large-scale data centers, including changes involving local approvals, environmental requirements, incentives, and utility costs.

The status of these proposals continues to evolve. Staff will continue monitoring the General Assembly and Public Utilities Commission of Ohio as the state considers additional data center policies.

Public and Community Response - Data center development has become an increasingly prominent local government issue throughout Ohio. Several Ohio communities have adopted temporary moratoriums, bans, zoning amendments, or other regulatory measures in response to concerns regarding land use, electricity consumption, water resources, noise, environmental impacts, and infrastructure costs.

Recent national polling has also indicated substantial public opposition to new data center construction in local communities, although the level of opposition varies among surveys. For the most part, recent national surveys have found that a substantial majority of Americans oppose new data center construction in their communities.

Regional and Local Update

- **Marysville** - The City of Marysville continues to aggressively support data center development. Construction of a new AWS facility in the 33 Innovation Park is well underway, while planning for the "Marysville South" project continues, encompassing nearly 600 acres designated for future data center development.
- **Dublin** – In light of public concerns, the City of Dublin has removed data centers as a permitted or conditional use in the West Innovation District (WID), substantially limiting opportunities for data center development within that district.
- **Jerome Township** - Following the expiration of a moratorium, Jerome Township continues to experience data center interest. AWS maintains campuses along Industrial Parkway and Warner Road, while additional properties, including a 160-acre site near Industrial Parkway and Mitchell-Dewitt Road, are being marketed for potential future data center development.

- **Darby Township** - Speculation regarding potential data center development in Darby Township, particularly along the OH-161 corridor east of Plain City, has continued for the past two years. This interest has been influenced in part by recent announcements regarding electrical improvements along the corridor. At this time, however, project details remain scarce.
- **Madison County** - The Madison County Soil and Water Conservation District (SWCD) and Board of Commissioners have recently initiated an update to Madison County's Farmland Preservation Plan. While the details of the updated plan remain under development, the initiative is occurring amid increasing development pressure throughout the county.

This activity clearly demonstrates that while the Village has not received a data center proposal, continued interest in nearby sites will likely generate future data center proposals in and near Plain City.

Village Proposed Data Center Regulations

Staff continues to support the regulatory framework originally presented to Council prior to subsequent amendments. Staff has received inquiries regarding the Village's draft regulations from six other communities, three of which have subsequently adopted regulations based substantially on the Village's approach.

At this time, *staff does not recommend abandoning the existing regulatory framework*. Rather, staff recommends evaluating the regulations against the Village's newly adopted 2026 Comprehensive Plan, evolving state requirements, current industry practices, and experience from other jurisdictions.

- **Comprehensive Plan Alignment** - The Village's 2026 Comprehensive Plan was officially adopted on September 14, 2026. Staff will review the proposed data center regulations against the new plan to ensure consistency with the Village's land use vision, appropriate land use adjacencies, community character objectives, and coordinated growth management policies.
- **Residential Setbacks** – Based on information provided by the American Planning Association (APA), staff is evaluating potential adjustments to required buffers between data center facilities and neighboring residential uses. The option under consideration is standardizing the minimum setback to approximately 450–550 feet. Staff will continue reviewing available planning research.
- **Economic Development Incentive Policy** - The Village's Economic Development Incentive Policy (EDIP) does not currently address data center development. Given the scale of investment and infrastructure requirements associated with these facilities, staff recommends evaluating whether the policy should be updated before the Village considers providing financial incentives for a future data center project.

Potential revisions could establish project-specific eligibility requirements, minimum job creation and investment thresholds, fiscal impact considerations, performance standards, and enforcement mechanisms. The objective would be to ensure that any future incentive agreement produces a measurable public benefit and appropriately accounts for potential impacts on Village and school district resources.

- **Ongoing Industry and Regulatory Monitoring** - Staff will continue monitoring industry trends,

relevant case law, state and federal legislative developments, utility regulations, and emerging data center technologies. Staff will also continue participating in peer-to-peer educational opportunities and maintaining communication with state regulators, development organizations, planning organizations, utilities, and other local governments.

Staff Takeaways

- Data center development continues to expand nationally and throughout Central Ohio, although forecasts regarding future demand, technology, and infrastructure requirements remain subject to uncertainty.
- Electricity availability, infrastructure costs, water use, land-use compatibility, and community impacts remain significant considerations for local governments evaluating potential data center development.
- Federal and state policies regarding data centers continue to evolve, particularly with respect to tax incentives, utility costs, permitting, and infrastructure requirements.
- Development activity in surrounding communities reinforces the importance of Plain City maintaining a clear and predictable regulatory framework before receiving a major data center proposal.
- Staff recommends using the remainder of the moratorium period to evaluate the existing draft regulations against the newly adopted Comprehensive Plan, emerging state requirements, evolving industry practices, and the experiences of neighboring jurisdictions.



MEMORANDUM

To: Members of the Village of Plain City Council

From: Haley Lupton, Village Administrator

Date: September 8, 2026

RE: Ordinance 41-2026: Amending the Codified Ordinances, Chapters 301, 371, and 373, of the Traffic Code

Background:

Pursuant to the direction of the Village Council, staff has conducted research in regards to e-bicycles and e-scooters and have formulated proposed revisions to Chapters 301, 371, and 373 of the Traffic Code.

- Chapter [301](#), titled "Definitions", sets forth the defined terms utilized within the Traffic Code.
- Chapter [371](#), titled "Pedestrians", sets forth regulations regarding pedestrians along the right-of-way. Additionally, certain regulations regarding low-speed micromobility devices are included within Chapter 371.
- Chapter [373](#), titled "Bicycles and Motorcycles", sets for the regulations regarding the operation of bicycles and motorcycles.

Through discussions during the Council meetings on [August 5, 2026](#) and [August 24, 2026](#), staff has prepared revisions to the aforementioned code sections to incorporate regulations regarding e-bicycles and e-scooters. Pursuant to the discussion during the August 24, 2026 meeting, staff has clarified the language within Section 373.13 in regards to parental responsibility. Additionally, language has been added to Section 371.14 that will require an owner or operator of a low-speed micromobility device rental service and/or sharing program to complete an agreement with the Village that states operational allowances and/or prohibitions. A summary of the proposed changes are as follows:

1. Section 301.24: The defined term "electric bicycle" is more clearly defined to align with the industry-standard definitions of e-bikes.

2. Section 301.43: The term “powered scooters” is no longer included in the proposed code. Rather “low-speed micromobility device” will be retained as it is more applicable to e-scooters and similar devices. The defined term “low-speed micromobility device” also includes transportation devices such as motorized skateboards, hoverboards, and self-balancing personal transporters.
3. Section 371.07: Adding verbiage that requires bicycles, e-bikes, and low-speed micromobility devices to yield the right-of-way to pedestrians on sidewalks and shared-use paths.
4. Section 371.14: Requiring that low-speed micromobility devices also adhere to the provisions of Chapter 373.
5. Section 371.14: Adding language that requires an owner or operator of a low-speed micromobility device rental service and/or sharing program to enter into an agreement with the Village that defines the operational structure and regulations for such a service and/or program.
6. Section 373.01: Adding e-bikes and low-speed micromobility devices as applicable devices for the code regulations set forth in Chapter 373 and requiring them to adhere to traffic control devices.
7. Section 373.02 - Section 373.07: Adding “low-speed micromobility devices” to all existing sections.
8. Section 373.08: Adding verbiage that requires bicycles, e-bikes, and low-speed micromobility devices to operate at a speed no greater than 10 miles per hour on any sidewalk or shared-use path and to require that such transportation devices do not pass pedestrians at excessive speed while on a sidewalk or shared-use path.
9. Section 373.09: Adding requirements for the parking of bicycles, e-bikes, and low-speed micromobility devices such that no obstructions occur on a sidewalk or similar thoroughfare.
10. Section 373.12: Requiring that class 1 and class 2 e-bikes cannot exceed 10 miles per hour on any path unless otherwise posted and requiring that a class 1 and class 2 e-bike cannot be operated on a sidewalk or shared-use path unless the electric motor is disengaged. Additionally, this section will state that a class 3 e-bike may not be operated on any sidewalk or shared-use path.
11. Section 373.13: Implementing a “parent’s responsibility” clause that states that any parent or guardian of a child must ensure that the child adheres to the provisions of Chapter 373. Additionally, the language has been simplified to increase clarity for enforcement-purposes.

The proposed amendments are attached to Ordinance 41-2026 in the forms of Exhibit A (Chapter 301), Exhibit B (Chapter 371), and Exhibit C (Chapter 373).

Objective:

To approve amendments to Chapters 301, 371, and 373 of the Village of Plain City Codified Ordinances.

Recommendation:

Staff supports and recommends the passage of Ordinance 41-2026 at the second reading on September 28, 2026. The amendment of Chapters 301, 371, and 373 of the Traffic Code implements regulations designed to increase public safety for pedestrians, cyclists, and motorists.

ORDINANCE NO. 41-2026

AN ORDINANCE AMENDING THE CODIFIED ORDINANCES, CHAPTERS 301, 371, AND 373, OF THE TRAFFIC CODE

WHEREAS, the Village of Plain City Codified Ordinances Chapters 301, 371, and 373 sets forth the defined terms of the Traffic Code, as well as the regulations for the operation of bicycles, electric bicycles, and low-speed micromobility devices within the Village of Plain City; and

WHEREAS, upon the completion of thorough research and evaluation, it has been recommended to this Village Council that Chapters 301, 371, and 373 be amended to incorporate regulations in regards to electric bicycles and low-speed micromobility devices to address community safety concerns and to promote the general safe operation of micromobility devices; and

WHEREAS, the Village Council concurs with the recommendation and determination of staff to amend Chapters 301, 371, and 373 of the Traffic Code and has determined the amendment to be in the best interests of the Village of Plain City, and necessary to protect the health, safety, and welfare of the residents of the Village of Plain City; and

WHEREAS, the Village Council has determined the need to amend Chapters 301, 371, and 373, in accordance with Exhibit A, Exhibit B, and Exhibit C respectively, all of which are attached hereto and incorporated herein.

NOW THEREFORE BE IT ORDAINED by the Council of the Village of Plain City, Ohio, a majority of the members elected or appointed thereto concurring, as follows:

Section 1. The Village Council hereby amends Codified Ordinances Chapters 301, as presented, which said amendment is attached hereto and incorporated herein as Exhibit A; the language being removed is ~~struck~~ and language being added is in **red** and underlined.

Section 2. The Village Council hereby amends Codified Ordinances Chapters 371, as presented, which said amendment is attached hereto and incorporated herein as Exhibit B; the language being removed is ~~struck~~ and language being added is in **red** and underlined.

Section 3. The Village Council hereby amends Codified Ordinances Chapters 373, as presented, which said amendment is attached hereto and incorporated herein as Exhibit C; the language being removed is ~~struck~~ and language being added is in **red** and underlined.

Section 4. It is found that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council that resulted in this formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio

Revised Code.

Section 5. This Ordinance shall be effective from and after the earliest period provided by law.

Passed: _____, 2026

Attest: _____
Clerk of Council Mayor

First reading: _____, 2026 Vote: ____yea ____nay ____abstain

Second reading: _____, 2026 Vote: ____yea ____nay ____abstain

Certificate of Publication

The undersigned, being Clerk of Council of the Village of Plain City, hereby certifies that the foregoing was published by posting for 15 days as required by law and in accordance with Section 4.15 of the Codified Ordinances. The posting was done from _____, 2026 to _____, 2026 at the Office of the Clerk of Council located at 800 Village Boulevard; all being in the Village of Plain City, Ohio and the Village of Plain City Website at www.plaincityohio.gov.

Date: _____, 2026

Clerk of Council

ORDINANCE 41-2026 EXHIBIT A

CHAPTER 301

Definitions

- 301.01 Meaning of words and phrases.**
- 301.02 Agricultural tractor and traction engine.**
- 301.03 Alley.**
- 301.04 Arterial street or highway.**
- 301.05 Autocycle.**
- 301.06 Beacon.**
- 301.07 Bicycle.**
- 301.08 Bicycle box.**
- 301.09 Bicycle lane.**
- 301.10 Bicycle signal face.**
- 301.11 Bicycle signal sign.**
- 301.12 Bikeway.**
- 301.13 Bus.**
- 301.14 Business district.**
- 301.15 Busway.**
- 301.16 Cab-enclosed motorcycle.**
- 301.17 Chauffeured limousine.**
- 301.18 Child care center.**
- 301.19 Commercial tractor.**
- 301.20 Controlled-access highway.**
- 301.21 Crosswalk.**
- 301.22 Driver or operator.**
- 301.23 Driveway.**
- 301.24 Electric bicycle.**
- 301.25 Electronic.**
- 301.26 Emergency vehicle.**
- 301.27 Explosives.**
- 301.28 Expressway.**
- 301.29 Farm machinery.**
- 301.30 Flammable liquid.**
- 301.31 Freeway.**
- 301.32 Funeral escort vehicle.**
- 301.33 Gross weight.**
- 301.34 Highway maintenance vehicle.**
- 301.35 Highway traffic signal.**

301.36 Hybrid beacon.
301.37 In-road warning light.
301.38 Intersection.
301.39 Lane-use control signal.
301.40 Laned highway.
301.41 Limited driving privileges.
301.42 Local authorities.
301.43 Low-speed micromobility device.
301.44 Median.
301.45 Motor-driven cycle or motor scooter.
301.46 Motor vehicle.
301.47 Motorcycle.
301.48 Motorized bicycle or moped.
301.49 Motorized wheelchair.
301.50 Multi-wheel agricultural tractor.
301.51 Natural resources officer.
301.52 Operate.
301.53 Parked or parking.
301.54 Pedestrian.
301.55 Person.
301.56 Pole trailer.
301.57 Police officer.
301.58 Predicate motor vehicle or traffic offense.
301.59 Private road.
301.60 Public safety vehicle.
301.61 Railroad.
301.62 Railroad sign or signal.
301.63 Residence district.
301.64 Ridesharing arrangement.
301.65 Right-of-way.
301.66 Road service vehicle.
301.67 Roadway.
301.68 Roundabout.
301.69 Rural mail delivery vehicle
301.70 Safety zone.
301.71 School bus.
301.72 Semitrailer.
301.73 Shared-use path.
301.74 Shoulder.
301.75 Sidewalk.
301.76 Site roadway open to public travel.
301.77 Standing.
301.78 State.
301.79 State highway.
301.80 State route.

301.81 Stop.
301.82 Stop intersection.
301.83 Stopping.
301.84 Street or highway.
301.85 Through highway.
301.86 Thruway.
301.87 Traffic.
301.88 Traffic control device.
301.89 Traffic control signal.
301.90 Trailer.
301.91 Train.
301.92 Truck.
301.93 Two-stage bicycle turn box.
301.94 Type A family child care home.
301.95 Urban district.
301.96 Vehicle.
301.97 Waste collection vehicle.
301.98 Wildlife officer.

CROSS REFERENCES

See sectional histories for similar State law

Funeral procession defined – see TRAF. 331.24

Street racing defined – see TRAF. 333.07

Studded tire defined – see TRAF. 339.11

Blind person defined – see TRAF. 371.02

Snowmobile, off-highway motorcycle and all purpose vehicle defined – see TRAF. 375.01

School zones defined – see TRAF. 333.03(b)

301.24 ELECTRIC BICYCLE.

“Electric bicycle” or “e-bicycle” means a bicycle that is equipped with an electric, or battery-operated motor, that may be activated in order to assist with or replace pedaling. An “electric bicycle” or “e-bicycle” may be propelled solely by human power, or with the assistance of an electric, or battery-operated, motor. An “electric bicycle” or “e-bicycle” must have pedals and cannot have a motor that exceeds seven hundred fifty (750) watts. “Electric bicycles” or “e-bicycles” may be a “class 1 electric bicycle”, a “class 2 electric bicycle”, or a “class 3 electric bicycle” as defined below.

- (a) CLASS 1 ELECTRIC BICYCLE. Means a bicycle that is equipped with fully operable pedals and an electric motor of less than 750 watts that provides assistance only when the rider is pedaling and ceases to provide assistance when the bicycle reaches the speed of twenty miles per hour.
- (b) CLASS 2 ELECTRIC BICYCLE. Means a bicycle that is equipped with fully operable pedals and an electric motor of less than 750 watts that may provide assistance regardless of whether the rider is pedaling and is not capable of providing assistance when the bicycle reaches the speed of twenty miles per hour.

(c) CLASS 3 ELECTRIC BICYCLE. Means a bicycle that is equipped with fully operable pedals and an electric motor of less than 750 watts that provides assistance only when the rider is pedaling and ceases to provide assistance when the bicycle reaches the speed of twenty-eight miles per hour.

(ORC 4511.01(SSS) - (VVV))

301.43 LOW-SPEED MICROMOBILITY DEVICE.

"Low-speed micromobility device" means a device weighing less than 100 pounds that has handlebars, is propelled by an electric motor or human power, and has an attainable speed on a paved level surface of not more than twenty miles per hour when propelled by the electric motor. The term includes electric scooters, motorized skateboards, hoverboards, and self-balancing personal transporters.

(ORC 4511.01(WWW))

ORDINANCE 41-2026 EXHIBIT B

CHAPTER 371

Pedestrians

- 371.01 Right of way in crosswalk.
- 371.02 Right of way of blind person.
- 371.03 Crossing roadway outside crosswalk; diagonal crossings at intersections.
- 371.04 Moving upon right half of crosswalk.
- 371.05 Walking along highways.
- 371.06 Use of highway for soliciting; riding on outside of vehicles.
- 371.07 Right of way on sidewalk and shared-use path.
- 371.08 Yielding to public safety vehicle.
- 371.09 Walking on highway while under the influence.
- 371.10 On bridges or railroad crossings.
- 371.11 Persons operating motorized wheelchairs.
- 371.12 Electric personal assistive mobility devices.
- 371.13 Operation of personal delivery device on sidewalks and crosswalks.
- 371.14 Low-speed micromobility devices.

CROSS REFERENCES

See sectional histories for similar State law

Pedestrian defined – see TRAF. 301.54

Pedestrian prohibited on freeways – see TRAF. 303.06

Obedience to traffic control devices – see TRAF. 313.01, 313.03

Pedestrian control signals – see TRAF. 313.05

371.07 RIGHT OF WAY ON SIDEWALK AND SHARED-USE PATH.

- (a) The driver of a vehicle, including bicycles, electric bicycles, and low-speed micromobility devices, shall yield the right of way to any pedestrian on a sidewalk or shared-use path and give an audible signal before overtaking and passing.
- (b) Except as otherwise provided in this subsection, whoever violates this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree. If the offender commits the offense while distracted and the distracting activity is a contributing

factor to the commission of the offense, the offender is subject to the additional fine established under Section 303.991 of the Traffic Code. (ORC 4511.441)

371.14 LOW-SPEED MICROMOBILITY DEVICES.

- (a)
 - (1) A low-speed micromobility device may be operated on the public streets, highways, sidewalks, and shared-use paths, and may be operated on any portions of roadways set aside for the exclusive use of bicycles in accordance with this section and in accordance with the provisions of Chapter 373.
 - (2) Except as otherwise provided in this section, those sections of this title that by their nature could apply to a low-speed micromobility device do apply to the device and the person operating it whenever it is operated upon any public street, highway, sidewalk, or shared-use path, or upon any portion of a roadway set aside for the exclusive use of bicycles.
- (b) No operator of a low-speed micromobility device shall do any of the following:
 - (1) Fail to yield the right-of-way to all pedestrians 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 500 feet;
 - B. A red reflector facing the rear that is visible from all distances from 100 feet to 600 feet when directly in front of lawful lower beams of head lamps on a motor vehicle.
- (c)
 - (1) No person who is under sixteen years of age shall rent a low-speed micromobility device.
 - (2) No person shall knowingly rent a low-speed micromobility device to a person who is under sixteen years of age.
 - (3) No person shall knowingly rent a low-speed micromobility device on behalf of a person who is under sixteen years of age.
- (d) No person shall operate a low-speed micromobility device at a speed greater than twenty miles per hour.
- (e)
 - (1) Whoever violates this section is guilty of a minor misdemeanor.
 - (2) Unless a mens rea is otherwise specified in this section, an offense established under this section is a strict liability offense and Ohio R.C. 2901.20 does not apply. The designation of that offense as a strict liability offense shall not be construed to imply that any other offense, for which there is no specified degree of culpability, is not a strict liability offense.
- (f) Notwithstanding subsection (a)(1) of this section, the municipality, may do any of the following:

- (1) Regulate or prohibit the operation of low-speed micromobility devices on public streets, highways, sidewalks, and shared-use paths, and portions of roadways set aside for the exclusive use of bicycles, under its jurisdiction;
- (2) Include low-speed micromobility devices that are adapted to expand access for people with various physical limitations into a shared bicycle, shared electric bicycle, or similar vehicle sharing program, under its jurisdiction;
- (3) Require the owner or operator of a low-speed micromobility device rental service or low-speed micromobility device sharing program to maintain commercial general liability insurance related to the operation of the devices, with limits of up to one million dollars (\$1,000,000) per occurrence and two million dollars (\$2,000,000) per aggregate.
- (4) No owner or operator of a low-speed micromobility device rental service or low-speed micromobility device sharing program shall operate or be located in the public right-of-way without entering into an agreement with the municipality and acquiring all necessary permits from the municipality.
- (5) Owners or operators of a low-speed micromobility device rental service or low-speed micromobility device sharing program that have been authorized to conduct operations within the municipality shall comply with all terms and conditions of the agreement and permit authorizing such operations. Failure to comply may result in the revocation of authorization to conduct a low-speed micromobility device rental service or low-speed micromobility device sharing program within the municipality.

(ORC 4511.514)

ORDINANCE 41-2026 EXHIBIT C

CHAPTER 373

Bicycles, Electric Bicycles, and Motorcycles, and Low-Speed Micromobility Devices

373.01 Code application to bicycles, electric bicycles, and low-speed micromobility devices.

373.02 Riding upon seats; handle bars; helmets and glasses.

373.03 Attaching bicycle or sled to vehicle.

373.04 Riding bicycles, low-speed micromobility devices, and motorcycles abreast.

373.05 Signal device on bicycle and low-speed micromobility device.

373.06 Lights and reflector on bicycle and low-speed micromobility device; brakes.

373.07 Riding bicycle and low-speed micromobility device on right side of roadway; obedience to traffic rules; passing.

373.08 Reckless operation; control, course and speed.

373.09 Parking of bicycle or low-speed micromobility device.

373.10 Motorized bicycle operation, equipment and license.

373.11 Paths exclusively for bicycles.

373.12 Electric bicycles.

373.13 Parent's responsibility.

CROSS REFERENCES

See sectional histories for similar State law

Motorcycle protective equipment – see OAC Ch. 4501-17

Motorized bicycle equipment – see OAC Ch. 4501-23

Bicycle defined – see TRAF. 301.07

Motorcycle defined – see TRAF. 301.47

Bicycles prohibited on freeways – see TRAF. 303.06

Hand and arm signals – see TRAF. 331.15

Motorcycle operator's license required – see TRAF. 335.01(a)

Motorcycle headlight – see TRAF. 337.03

Motorcycle brakes – see TRAF. 337.18(a)(2)

373.01 CODE APPLICATION TO BICYCLES, ELECTRIC BICYCLES, AND LOW-SPEED MICROMOBILITY DEVICES.

- (a) The provisions of this Traffic Code that are applicable to bicycles, and electric bicycles, and low-speed micromobility devices apply whenever a bicycle, or electric bicycle, or low-speed micromobility devices is operated upon any street.

sidewalk, shared-use path, or upon any path set aside for the exclusive use of bicycles.

- (b) Except as provided in subsection (d) of this section, a bicycle operator, ~~or~~ electric bicycle operator, or low-speed micromobility device operator who violates any section of this Traffic Code described in subsection (a) of this section that is applicable to bicycles, ~~or~~ electric bicycles, or low-speed micromobility devices may be issued a ticket, citation or summons by a law enforcement officer for the violation in the same manner as the operator of a motor vehicle would be cited for the same violation. A person who commits any such violation while operating a bicycle, ~~or~~ electric bicycle, or low-speed micromobility device shall not have any points assessed against the person's driver's license, commercial driver's license, temporary instruction permit, or probationary license under Ohio R.C. 4510.036.
- (c) Except as provided in subsection (d) of this section, in the case of a violation of any section of this Traffic Code described in subsection (a) of this section by a bicycle operator, electric bicycle operator, low-speed micromobility device operator, or motor vehicle operator when the trier of fact finds that the violation by the motor vehicle operator endangered the lives of bicycle riders, ~~or~~ electric bicycle riders, or low-speed micromobility device riders at the time of the violation, the court, notwithstanding any provision of this Traffic Code to the contrary, may require the bicycle operator, electric bicycle operator, low-speed micromobility device operator, or motor vehicle operator to take and successfully complete a bicycling skills course approved by the court in addition to or in lieu of any penalty otherwise prescribed by the Traffic Code for that violation.
- (d) Subsections (b) and (c) of this section do not apply to violations of Section 333.01 of this Traffic Code. (ORC 4511.52)
- (e) The provisions of this Traffic Code shall apply to bicycles, ~~and~~ electric bicycles, and low-speed micromobility devices except those which by their nature are not applicable.
- (f) Every person operating a bicycle, electric bicycle, or low-speed micromobility devices shall obey the instructions of official traffic control devices and signals applicable to vehicles, unless otherwise directed by a police officer.

373.02 RIDING UPON SEATS; HANDLE BARS; HELMETS AND GLASSES.

- (a) For purposes of this section "snowmobile" has the same meaning as given that term in Ohio R.C 4519.01.
- (b) No person operating a bicycle or electric bicycle shall ride other than upon or astride the permanent and regular seat attached thereto, or carry any other person upon such bicycle or electric bicycle other than upon a firmly attached and regular seat thereon, and no person shall ride upon a bicycle or electric bicycle other than upon such a firmly attached and regular seat.
- (c) No person operating a motorcycle shall ride other than upon or astride the permanent and regular seat or saddle attached thereto, or carry any other person upon such motorcycle other than upon a firmly attached and regular seat or saddle thereon, and no person shall ride upon a motorcycle other than upon such a firmly attached and regular seat or saddle.

- (d) No person shall ride upon a motorcycle that is equipped with a saddle other than while sitting astride the saddle, facing forward, with one leg on each side of the motorcycle.
- (e) No person shall ride upon a motorcycle that is equipped with a seat other than while sitting upon the seat.
- (f) No person operating a bicycle or electric bicycle shall carry any package, bundle or article that prevents the driver from keeping at least one hand upon the handlebars. No person operating a low-speed micromobility device shall carry any package, bundle, or article that prevents the operator from utilizing both the handlebars and the standing platform.
- (g) No bicycle, electric bicycle, low-speed micromobility device, or motorcycle shall be used to carry more persons at one time than the number for which it is designed and equipped. No motorcycle shall be operated on a highway when the handlebars rise higher than the shoulders of the operator when the operator is seated in the operator's seat or saddle.
- (h)
 - (1) Except as provided in subsection (h)(2) of this section, no person shall operate or be a passenger on a snowmobile or motorcycle without using safety glasses or other protective eye device. Except as provided in subsection (i)(3) of this section, no person who is under the age of eighteen years, or who holds a motorcycle operator's endorsement or license bearing "novice" designation that is currently in effect as provided in Ohio R.C. 4507.13, shall operate a motorcycle on a highway, or be a passenger on a motorcycle, unless wearing a United States Department of Transportation-approved protective helmet on the person's head, and no other person shall be a passenger on a motorcycle operated by such a person unless similarly wearing a protective helmet. The helmet, safety glasses or other protective eye device shall conform with rules adopted by the Ohio Director of Public Safety. The provisions of this subsection or a violation thereof shall not be used in the trial of any civil action.
 - (2) Subsection (h)(1) of this section does not apply to a person operating an autocycle or cab-enclosed motorcycle when the occupant compartment top is in place enclosing the occupants.
- (i)
 - (1) No person shall operate a motorcycle with a valid temporary permit and temporary instruction permit identification card issued by the Ohio Registrar of Motor Vehicles pursuant to Ohio R.C. 4507.05 unless the person, at the time of such operation, is wearing on the person's head a protective helmet that has been approved by the United States Department of Transportation that conforms with rules adopted by the Director.
 - (2) No person shall operate a motorcycle with a valid temporary instruction permit and temporary instruction permit identification card issued by the Registrar pursuant to Ohio R.C. 4507.05 in any of the following circumstances:

- A. At any time when lighted lights are required by Section 337.02(a)(1);
 - B. While carrying a passenger;
 - C. On any limited access highway or heavily congested roadway.
- (3) Subsections (i)(1) and (i)(2)A. of this section do not apply to a person who operates or is a passenger in an autocycle or cab-enclosed motorcycle when the occupant compartment top is in place enclosing the occupants.
- (j) Nothing in this section shall be construed as prohibiting the carrying of a child in a seat or trailer that is designed for carrying children and is firmly attached to the bicycle or electric bicycle.
- (k) Except as otherwise provided in this subsection, whoever violates this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.
- (ORC 4511.53)

373.03 ATTACHING BICYCLE OR SLED TO VEHICLE.

- (a) No person riding upon any motorcycle, bicycle, electric bicycle, low-speed micromobility device, coaster, roller skates, sled, skateboard or toy vehicle shall attach the same or self to any vehicle upon a roadway. No operator shall knowingly permit any person riding upon any motorcycle, bicycle, electric bicycle, coaster, roller skates, sled, skateboard or toy vehicle to attach the same or self to any vehicle while it is moving upon a roadway. This section does not apply to the towing of a disabled vehicle.
- (b) Except as otherwise provided in this subsection, whoever violates this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree. If the offender commits the offense while distracted and the distracting activity is a contributing factor to the commission of the offense, the offender is subject to the additional fine established under Section 303.991 of the Traffic Code. (ORC 4511.54)

373.04 RIDING BICYCLES, LOW-SPEED MICROMOBILITY DEVICES, AND MOTORCYCLES ABREAST.

- (a) Persons riding bicycles, electric bicycles, low-speed micromobility devices, or motorcycles upon a roadway shall ride not more than two abreast in a single lane, except on paths or parts of roadways set aside for the exclusive use of bicycles, electric bicycles, low-speed micromobility devices, or motorcycles.

- (b) Except as otherwise provided in this subsection, whoever violates this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree. If the offender commits the offense while distracted and the distracting activity is a contributing factor to the commission of the offense, the offender is subject to the additional fine established under Section 303.991 of the Traffic Code. (ORC 4511.55)

373.05 SIGNAL DEVICE ON BICYCLE AND LOW-SPEED MICROMOBILITY DEVICE.

- (a) A bicycle, ~~or~~ electric bicycle, or low-speed micromobility device may be equipped with a device capable of giving an audible signal, except that a bicycle, ~~or~~ electric bicycle, or low-speed micromobility device shall not be equipped with nor shall any person use upon a bicycle, ~~or~~ electric bicycle, or low-speed micromobility device any siren or whistle.
- (b) Except as otherwise provided in this subsection, whoever violates this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.

(ORC 4511.56)

373.06 LIGHTS AND REFLECTOR ON BICYCLE AND LOW-SPEED MICROMOBILITY DEVICE; BRAKES.

- (a) Every bicycle, ~~or~~ electric bicycle, or low-speed micromobility device when in use at the times specified in Section 337.02, shall be equipped with the following:
- (1) A lamp mounted on the front of either the bicycle, ~~or~~ electric bicycle, or low-speed micromobility device or the operator that shall emit a white light visible from a distance of at least five hundred feet to the front; and three hundred feet to the sides. A generator-powered lamp that emits light only when the bicycle, ~~or~~ electric bicycle, or low-speed micromobility device is moving may be used to meet this requirement.
 - (2) A red reflector on the rear that shall be visible from all distances from one hundred feet to six hundred feet to the rear when directly in front of lawful lower beams of head lamps on a motor vehicle.
 - (3) A lamp emitting either flashing or steady red light visible from a distance of five hundred feet to the rear shall be used in addition to the red reflector; If the red lamp performs as a reflector in that it is visible as specified in subsection (a)(2) of this section, the red lamp may serve as the reflector and a separate reflector is not required.

- (b) Additional lamps and reflectors may be used in addition to those required under subsection (a) of this section, except that red lamps and red reflectors shall not be used on the front of the bicycle or electric bicycle and white lamps and white reflectors shall not be used on the rear of the bicycle or electric bicycle.
- (c) Every bicycle, ~~or~~ electric bicycle, or low-speed micromobility device shall be equipped with an adequate brake when used on a shared-use path, sidewalk, street or highway.
- (d) Except as otherwise provided in this subsection, whoever violates this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.

(ORC 4511.56)

373.07 RIDING BICYCLE AND LOW-SPEED MICROMOBILITY DEVICE ON RIGHT SIDE OF ROADWAY; OBEDIENCE TO TRAFFIC RULES; PASSING.

- (a) Every person operating a bicycle, ~~or~~ electric bicycle, or low-speed micromobility device upon a roadway shall ride as near to the right side of the roadway as practicable obeying all traffic rules applicable to vehicles and exercising due care when passing a standing vehicle or one proceeding in the same direction.
- (b) This section does not require a person operating a bicycle, ~~or~~ electric bicycle, or low-speed micromobility device to ride at the edge of the roadway when it is unreasonable or unsafe to do so. Conditions that may require riding away from the edge of the roadway include when necessary to avoid fixed or moving objects, parked or moving vehicles, surface hazards, or if it otherwise is unsafe or impracticable to do so, including if the lane is too narrow for the bicycle, ~~or~~ electric bicycle, or low-speed micromobility device and an overtaking vehicle to travel safely side by side within the lane.
- (c) Except as otherwise provided in this subsection, whoever violates this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree. If the offender commits the offense while distracted and the distracting activity is a contributing factor to the commission of the offense, the offender is subject to the additional fine established under Section 303.991 of the Traffic Code. (ORC 4511.55(A))

373.08 RECKLESS OPERATION; CONTROL, COURSE AND SPEED.

- (a) No person shall operate a bicycle, ~~or~~ electric bicycle, or low-speed micromobility device:

- (1) Without due regard for the safety and rights of pedestrians and drivers and occupants of all other vehicles, and so as to endanger the life, limb or property of any person while in the lawful use of the streets or sidewalks or any other public or private property;
 - (2) Without exercising reasonable and ordinary control over such bicycle, ~~or~~ electric bicycle, or low-speed micromobility device;
 - (3) In a weaving or zigzag course unless such irregular course is necessary for safe operation in compliance with law;
 - (4) Without both hands upon the handle grips except when necessary to give the required hand and arm signals, or as provided in Section 373.02(d);
 - (5) At a speed greater than is reasonable and prudent under the conditions then existing, or at a speed greater than ten (10) miles per hour on any sidewalk or shared-use path unless otherwise posted.
 - (6) At a speed greater than a speed typical of a walking pedestrian when passing or overtaking pedestrians.
- (b) Whoever violates this section 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.

373.09 PARKING OF BICYCLE OR LOW-SPEED MICROMOBILITY DEVICE.

- (a) No person shall park a bicycle, ~~or~~ electric bicycle, or low-speed micromobility device upon a sidewalk in such a manner so as to unduly interfere with pedestrian traffic or upon a roadway so as to unduly interfere with vehicular traffic. No person shall park a bicycle, electric bicycle, or low-speed micromobility device along a sidewalk such that it leaves an unobstructed path of less than four (4) feet. When parking a bicycle, electric bicycle, or low-speed micromobility device, the device shall not block motor vehicle driving lanes, bicycle lanes, driveways and driveway approaches, loading zones, pedestrian paths, shared-use paths, building entrances, curb ramps, crosswalks, or benches.
- (b) Whoever violates this section 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.

373.10 MOTORIZED BICYCLE OPERATION, EQUIPMENT AND LICENSE.

- (a) No person shall operate a motorized bicycle upon any street or highway or any public or private property used by the public for purposes of vehicular travel or parking, unless all of the following conditions are met:
- (1) The person is fourteen or fifteen years of age and holds a valid probationary motorized bicycle license issued after the person has passed the test provided for in Ohio R.C. 4511.521, or the person is sixteen years of age or older and holds either a valid commercial driver's license issued under Ohio R.C. Chapter 4506, or a driver's license issued under Ohio R.C. Chapter 4507, or a valid motorized bicycle license issued after the person

has passed the test provided for in Ohio R.C. 4511.521, except that if a person is sixteen years of age, has a valid probationary motorized bicycle license and desires a motorized bicycle license, the person is not required to comply with the testing requirements provided for in Ohio R.C. 4511.521;

- (2) The motorized bicycle is equipped in accordance with rules adopted by the Ohio Director of Public Safety and is in proper working order;
 - (3) The person, if under eighteen years of age, is wearing a protective helmet on the person's head with the chin strap properly fastened, and the motorized bicycle is equipped with a rear-view mirror; and
 - (4) The person operates the motorized bicycle when practicable within three feet of the right edge of the roadway obeying all traffic rules applicable to vehicles.
- (b) No person operating a motorized bicycle shall carry another person upon the motorized bicycle.
- (c) The protective helmet and rearview mirror required by subsection (a)(3) of this section shall, on and after January 1, 1985, conform with rules adopted by the Ohio Director of Public Safety.
- (d) Whoever violates this section is guilty of a minor misdemeanor. (ORC 4511.521)

373.11 PATHS EXCLUSIVELY FOR BICYCLES.

- (a) No person shall operate a motor vehicle, snowmobile, or all-purpose vehicle upon any path set aside for the exclusive use of bicycles, when an appropriate sign giving notice of such use is posted on the path. Nothing in this section shall be construed to affect any rule of the Ohio Director of Natural Resources governing the operation of motor vehicles, snowmobiles, all-purpose vehicles, and bicycles on lands under the Director's jurisdiction.
- (b) Except as otherwise provided in this subsection, whoever violates this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree. If the offender commits the offense while distracted and the distracting activity is a contributing factor to the commission of the offense, the offender is subject to the additional fine established under Section 303.991 of the Traffic Code.

(ORC 4511.713)

373.12 ELECTRIC BICYCLES.

- (a)
- (1) The operation of a class 1 electric bicycle and a class 2 electric bicycle is permitted on a path set aside for the exclusive use of bicycles or on a shared-use path, unless the Municipality by resolution, ordinance, or rule prohibits the use of a class 1 electric bicycle or class 2 electric bicycle on such a path. A class 1 or class 2 electric bicycle shall not exceed ten (10)

miles per hour on any path in accordance with this division unless otherwise posted. No person shall operate a class 1 or class 2 electric bicycle upon a sidewalk or shared-use path unless the electric motor is not engaged.

- (2) No person shall operate a class 3 electric bicycle on a path set aside for the exclusive use of bicycles, a sidewalk, or a shared-use path within the Municipality, regardless of whether the motor is engaged or disengaged ~~unless that path is within or adjacent to a highway or the Municipality by resolution, ordinance, or rule authorizes the use of a class 3 electric bicycle on such a path.~~
- (3) No person shall operate a class 1 electric bicycle, a class 2 electric bicycle or a class 3 electric bicycle on a path that is intended to be used primarily for mountain biking, hiking, equestrian use, or other similar uses, or any other single track or natural surface trail that has historically been reserved for nonmotorized use, unless the Municipality by resolution, ordinance or rule authorizes the use of a class 1 electric bicycle, a class 2 electric bicycle, or a class 3 electric bicycle on such a path.
- (4) Subsections (a)(2) and (a)(3) of this section do not apply to a law enforcement officer, or other person sworn to enforce the criminal and traffic laws of the state, using an electric bicycle while in the performance of the officer's duties.

(b)

- (1) No person under sixteen years of age shall operate a class 3 electric bicycle; however, a person under sixteen years of age may ride as a passenger on a class 3 electric bicycle that is designed to accommodate passengers.
- (2) No person shall operate or be a passenger on a class 3 electric bicycle unless the person is wearing a protective helmet that meets the standards established by the Consumer Product Safety Commission or the American Society for Testing and Materials.

(c)

- (1) Except as otherwise provided in this subsection, whoever operates an electric bicycle in a manner that is prohibited under subsection (a) of this section and whoever violates subsection (b) of this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.
- (2) The offenses established under subsection (c)(1) of this section are strict liability offenses and strict liability is a culpable mental state for purposes of Ohio R.C. 2901.20. The designation of these offenses as strict liability

offenses shall not be construed to imply that any other offense, for which there is no specified degree of culpability, is not a strict liability offense.
(ORC 4511.522)

373.13 PARENT'S RESPONSIBILITY.

- (a) No parent or guardian of any child shall authorize or knowingly permit, or recklessly permit, any such child to violate any of the provisions of this Chapter.
- (b) Whoever violates any provision of this section 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.



MEMORANDUM

To: Members of the Village of Plain City Council

From: Haley Lupton, Village Administrator

Date: September 8, 2026

RE: Resolution 41-2026: Accepting Public Improvements Constructed for The Run at Hofbauer Preserve, Section 2

Background:

The Village of Plain City requires, in its [Subdivision Regulations](#) of the Codified Ordinances, that certain public improvements such as roadways, street lighting, and water and sewer infrastructure be constructed and installed within any new subdivision. Once such improvements are built to the satisfaction of the Village Engineer and staff, Council may choose to accept the public improvements. Once accepted, the maintenance responsibilities of the improvements are transferred to the Village. Resolution 41-2026 formally accepts the constructed public improvements within The Run at Hofbauer Preserve, Section 2 subdivision. All improvements have met applicable requirements and regulations and have been deemed by staff to be in such condition that warrants acceptance.

Objective:

To formally accept the public improvements constructed in The Run at Hofbauer Preserve, Section 2 subdivision.

Recommendation:

Staff supports and recommends the passage of Resolution 41-2026 at the second reading on September 28, 2026. The acceptance of public improvements is in accordance with standard Village policy and regulations in regards to developmental procedures. The public improvements have been thoroughly inspected and have met all applicable requirements.

RESOLUTION NO. 41-2026

A RESOLUTION ACCEPTING PUBLIC IMPROVEMENTS CONSTRUCTED FOR THE RUN AT HOFBAUER PRESERVE, SECTION 2

WHEREAS, the Village of Plain City's Subdivision Regulations within Chapter 1125 of the Codified Ordinances require the installation of certain public improvements for all subdivisions within the Village; and

WHEREAS, the developer of Section 2 of The Run at Hofbauer Preserve subdivision has installed such required improvements in accordance with the record plan and accompanying public improvement plans previously approved by the Village Council; and

WHEREAS, the Village Engineer and staff have inspected said public improvements and have found them to be installed in accordance with all applicable construction regulations and requirements of the Village; and

WHEREAS, the developer of Section 2 of The Run at Hofbauer Preserve subdivision desires to dedicate said public improvements to the Village and to the benefit of the public for the future; and

WHEREAS, the Village Council has determined that the public improvements within Section 2 of The Run at Hofbauer Preserve subdivision, as identified in Exhibit A attached hereto and incorporated herein, should be accepted and the acceptance of such public improvements is in the best interests of the Village of Plain City and residents.

NOW THEREFORE BE IT RESOLVED by the Council of the Village of Plain City, Ohio, a majority of the members elected or appointed thereto concurring, as follows:

Section 1. The Village Council hereby accepts the dedication of the public improvements for Section 2 of The Run at Hofbauer Preserve subdivision, as identified in Exhibit A attached hereto and incorporated herein, upon receipt by the Village of Plain City of a two-year maintenance bond in the amount of \$56,607.50 in a form determined to be acceptable to the Village of Plain City by the Village Administrator, all in accordance with Chapter 1129 of the Village of Plain City Codified Ordinances.

Section 2. Upon receipt of the maintenance bond as described in Section 1 of this Resolution, the release of the performance bond in the amount of \$566,075.00 is hereby authorized.

Section 3. The Village Administrator is hereby authorized and directed to take any required subsequent action to execute the release the performance bond and accept the maintenance bond in accordance with the provisions of this Resolution.

Section 4. It is found that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council and that all deliberations of this Council that resulted in this formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 5. This Resolution shall be effective from and after the earliest period provided by law.

Passed: _____, 2026

Attest: _____
Clerk of Council

Mayor

First reading: _____, 2026 Vote: ____yea ____nay ____abstain

Second reading: _____, 2026 Vote: ___yea ___nay ___abstain

Certificate of Publication

The undersigned, being Clerk of Council of the Village of Plain City, hereby certifies that the foregoing was published by posting for 15 days as required by law and in accordance with Section 4.15 of the Codified Ordinances. The posting was done from _____, 2026 to _____, 2026 at the Office of the Clerk of Council located at 800 Village Boulevard; being in the Village of Plain City, Ohio, and the Village of Plain City Website at www.plaincityohio.gov.

Date: _____, 2026

Clerk of Council

RESOLUTION 41-2026 EXHIBIT A

ACCEPTING PUBLIC IMPROVEMENTS CONSTRUCTED FOR THE RUN AT HOFBAUER PRESERVE, SECTION 2

The Run at Hofbauer Preserve, Section 2 Final Plat

THE RUN AT HOFBAUER PRESERVE
SECTION 2

1
3

Situated in the State of Ohio, County of Union, Village of Plain City, and in Virginia Military Survey Number 5238, containing 14.461 acres of land, more or less, said 14.461 acres being comprised of a part of each of those tracts of land conveyed to ROCKFORD HOMES, INC by deeds of record Official Record __, Page __, Recorder's Office, Union County, Ohio.

The undersigned, ROCKFORD HOMES, INC, an Ohio corporation, by ROBERT E. YOAKAM, President, owner of the lands platted herein, duly authorized in the premises, does hereby certify that this plat correctly represents its "THE RUN AT HOFBAUER PRESERVE SECTION 2", a subdivision containing Lots numbered 1 to 26, 77 to 81 and 83 to 100, all inclusive, and areas designated as Reserves "G", "H" and "I", does hereby accept this plat of same and dedicates to public use, as such, all of Ashby Way and Melody Loop shown hereon and not heretofore dedicated, and does hereby certify, per review and approval of the Village of Plain City, that this plat is in compliance, to the best of our knowledge and understanding, with the applicable parts of the Village of Plain City Subdivision Regulations and Zoning Regulations that apply to this plat. All streets shown hereon will not be accepted for public use until such time as construction is complete and said streets are formally accepted as such by the Village of Plain City.

Easements are hereby reserved in, over and under areas designated on this plat as "Easement" or "Drainage Easement". Each of the aforementioned designated easements permit the construction, operation and maintenance of all public and quasi public utilities, above, beneath and on the surface of the ground, and where necessary, for the construction, operation and maintenance of service connections to all adjacent lots and lands and for storm water drainage. Within those areas designated "Drainage Easement" on this plat, an additional easement is hereby reserved for the purpose of constructing, operating and maintaining major storm water drainage swales and/or other above ground storm water drainage facilities. No above grade structures, dams or other obstructions to the flow of storm water runoff are permitted within Drainage Easement areas as delineated on this plat unless approved by the Village of Plain City Engineer. Easement areas shown hereon outside of the platted area are within lands owned by the undersigned and easements are hereby reserved therein for the uses and purposes as expressed herein.

In Witness Whereof, ROBERT E. YOAKAM, President of ROCKFORD HOMES, INC., has hereunto set his hand this __day of ___, 20__.

Signed and Acknowledged In the presence of: ROCKFORD HOMES, INC., By ROBERT E. YOAKAM, President

STATE OF OHIO
COUNTY OF UNION ss:

Before me, a Notary Public in and for said State, personally appeared ROBERT E. YOAKAM, President of ROCKFORD HOMES, INC., who acknowledged the signing of the foregoing instrument to be his voluntary act and deed and the voluntary act and deed of said ROCKFORD HOMES, INC. for the uses and purposes expressed herein.

In Witness Thereof, I have hereunto set my hand and affixed my official seal this __ day of ___, 20__.

My commission expires Notary Public, State of Ohio

Approved this ___ day of ___, 20__ Zoning Inspector, Village of Plain City, Ohio

Approved this ___ day of ___, 20__ Chairman, Planning and Zoning Commission, Village of Plain City, Ohio

Approved this ___ day of ___, 20__ Village Engineer, Village of Plain City, Ohio

Approved this ___ day of ___, 20__ Village Administrator, Village of Plain City, Ohio

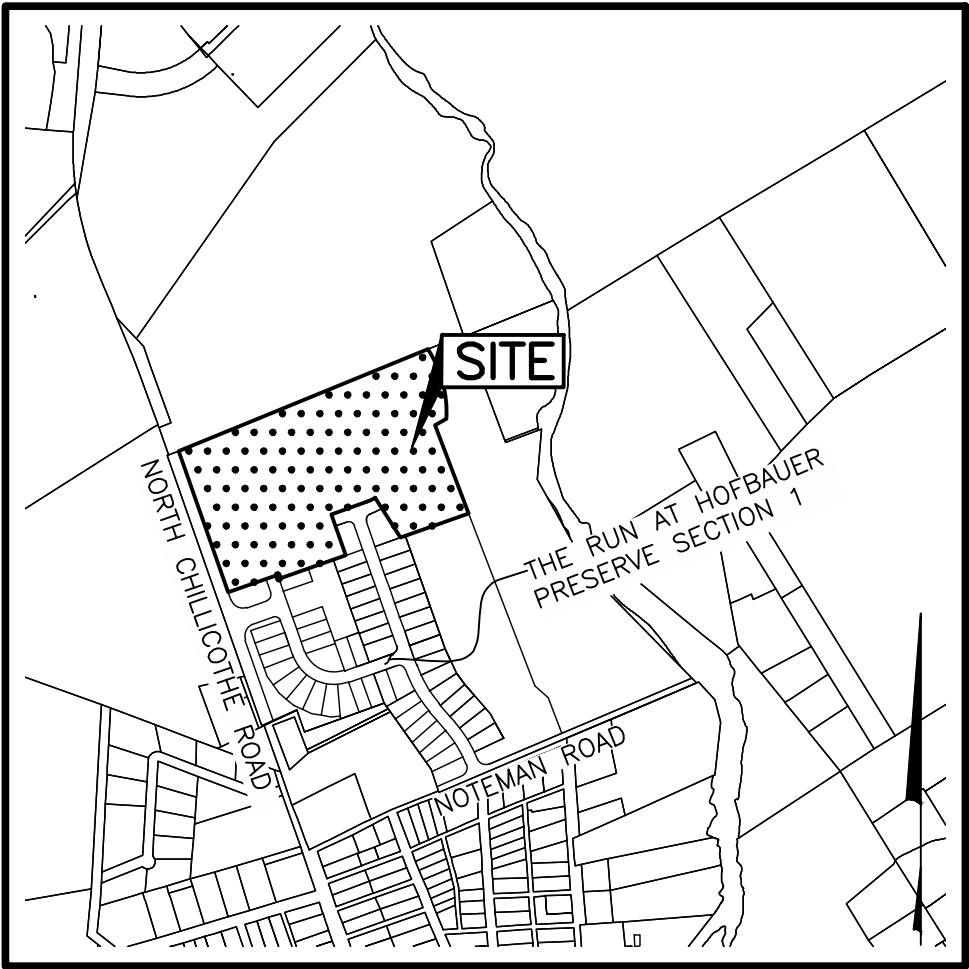
Mayor, Village of Plain City, Ohio

Fiscal Officer, Village of Plain City, Ohio

I hereby certify that the land by this plat was transferred on ___20___. Union County Auditor

I hereby certify that this plat was filed for recording on ___20___, and that it was recorded on ___20___ in Plat Book ___, Pages ___ plat records of Union County, Ohio. Union County Recorder

Fee \$ _____



LOCATION MAP AND BACKGROUND DRAWING

NOT TO SCALE

SURVEY DATA:

BASIS OF BEARINGS: The bearings shown hereon are based on the Ohio State Plane Coordinate System, South Zone, NAD 83 (2011). Said bearings originated from a field traverse which was tied (referenced) to said coordinate system by positional solutions derived by the National Geodetic Survey's Online Positioning Users Service software using GPS observations and observations of selected CORS base stations in the National Spatial Reference System.

SOURCE OF DATA: The sources of recorded survey data referenced in the plan and text of this plat are the records of the Recorder's Office, Union County, Ohio.

IRON PINS: Iron pins, where indicated hereon, unless otherwise noted, are to be set and are iron pipes, thirteen sixteenths inch inside diameter, thirty inches long with a plastic plug placed in the top end bearing the initials EMHT INC.

PERMANENT MARKERS: Permanent markers, where indicated hereon, are to be one-inch diameter, thirty-inch long, solid iron pins. Pins are to be set to monument the points indicated and are to be set with the top end flush with the surface of the ground and then capped with an aluminum cap stamped EMHT INC. Once installed, the top of the cap shall be marked (punched) to record the actual location of the point.

SURVEYED & PLATTED BY



We do hereby certify that we have surveyed the above premises, prepared the attached plat, and that said plat is correct and conforms to the requirements of Section 1121.03 FINAL PLAT REQUIREMENTS of the Codified Ordinances of Plain City, Ohio, excepting therefrom Items (a), (3), (5), (6), (16), (21) and (26). All dimensions are in feet and decimal parts thereof.

- = Iron Pin (See Survey Data)
- = MAG Nail to be set
- ⊙ = Permanent Marker (See Survey Data)

By Professional Surveyor No. 7865 Date

THE RUN AT HOFBAUER PRESERVE

SECTION 2

NOTE "A": The purpose of this plat is to show certain property, rights of way, and easement boundaries as of the time of platting. At the request of zoning and planning authorities at the time of platting, this plat shows some of the limitations and requirements of the zoning code in effect on the date of filing this plat for reference only. The limitations and requirements may change from time to time and should be reviewed to determine the then current applicable use and development limitations of the zoning code as adopted by the government authority having jurisdiction. The then applicable zoning code shall have control over conflicting limitations and requirements that may be shown as on this plat. This note should not be construed as creating plat or subdivision restrictions, private use restrictions, covenants running with the land or title encumbrances of any nature, except to the extent specifically identified as such. Subsequent to the recordation of this plat, a declaration of covenants, easements, conditions, restrictions and assessments encumbering the lots shall be recorded in the Union County Recorder's Office.

NOTE "B": At the time of platting, all of The Run at Hofbauer Preserve Section 2 is within Zone X (areas determined to be outside the 0.2% annual chance floodplain) as shown on FEMA Flood Insurance Rate Map for Union County, Ohio and Incorporated Areas Map Number 39097C0057D, with an effective date of June 18, 2010.

NOTE "C" - ACREAGE BREAKDOWN:

Total acreage:	14.464 Ac.
Acreage in right-of-way:	1.904 Ac.
Acreage in lots:	9.506 Ac.
Acreage in Reserves:	0.838 Ac.

NOTE "D" - ACREAGE BREAKDOWN: The Run at Hofbauer Preserve Section 2 is out of the following Union County Parcel Number:

Parcel Number 18000021700000	0.000 Ac.
Parcel Number 18000021700000	0.000 Ac.
Parcel Number 18000021700000	0.000 Ac.

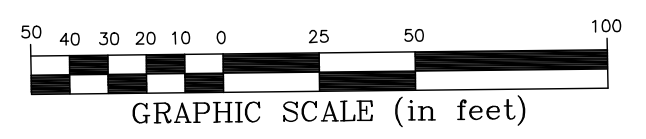
NOTE "E" - RESERVES: Reserves, as designated and delineated hereon, shall be owned and maintained by an association comprised of the owners of the fee simple titles to the lots in The Run at Hofbauer Preserve subdivisions as open space and any other uses allowed by the then current zoning.

NOTE "F" - MINIMUM FRONT, SIDE AND REAR YARD SETBACKS:

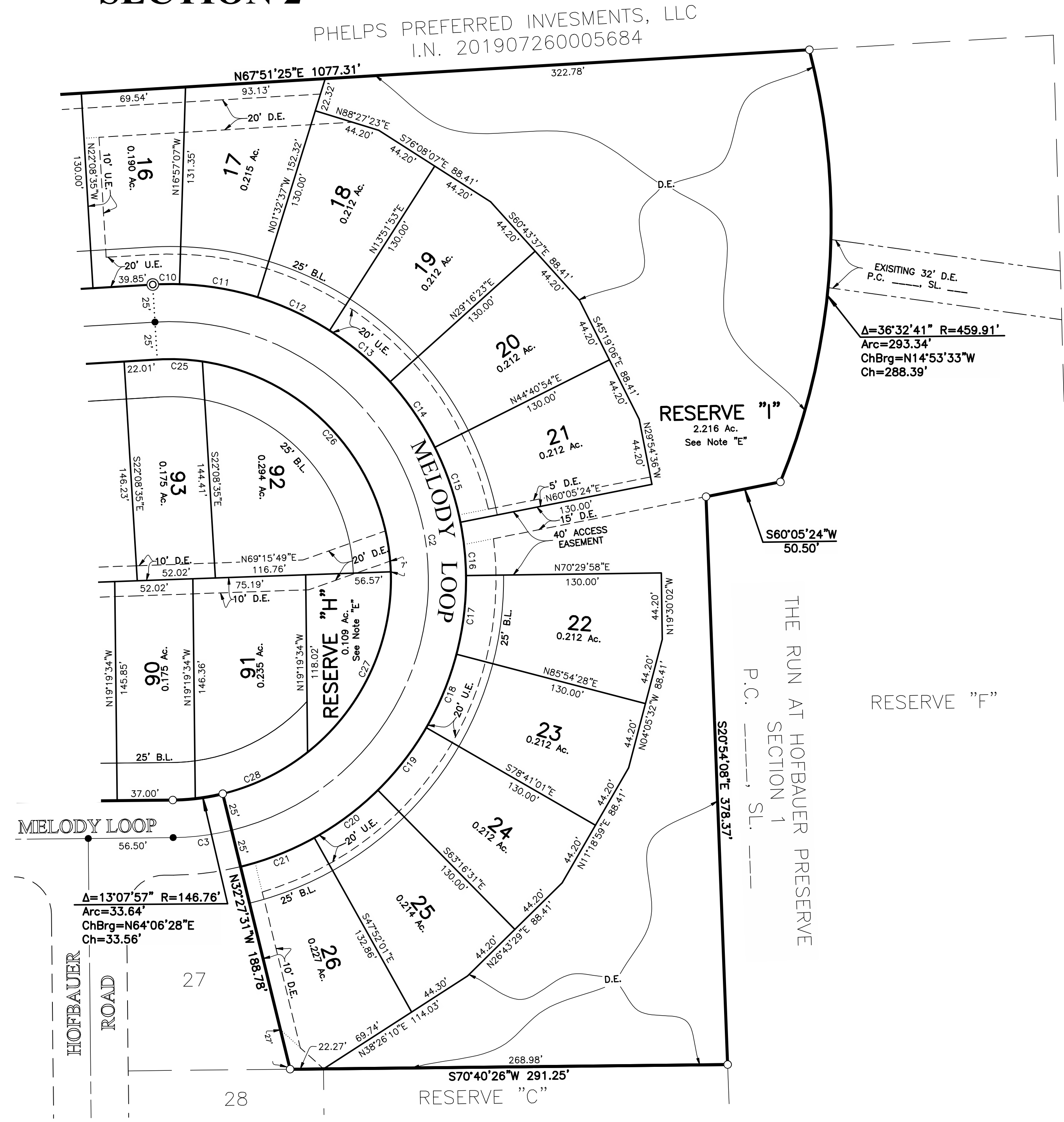
Front:	25 feet (Building Line)
Rear:	25 feet
Side:	5 feet (Total of 10 feet)

- Legend**
- D.E. = Drainage Easement
 - U.E. = Utility Easement
 - B.L. = Building Line

- Line Type Legend**
- Existing Property Line
 - Existing R/W Line
 - Existing R/W Centerline
 - Existing Easement Line
 - Proposed Subdivision Boundary Line
 - Proposed Lot Line
 - Proposed R/W Line
 - Proposed R/W Centerline
 - Proposed Easement Line



SCALE: 1" = 50'



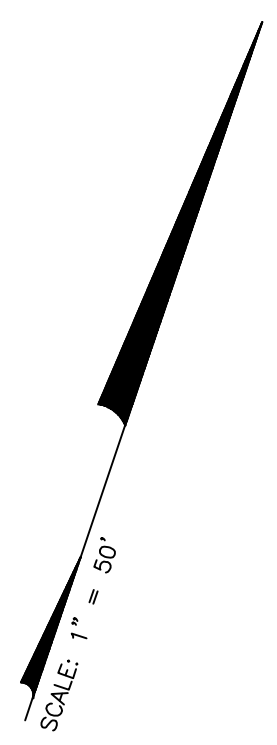
PHELPS PREFERRED INVESMENTS, LLC
I.N. 201907260005684

THE RUN AT HOFBAUER PRESERVE
SECTION 1
P.C. ---, S.L. ---

THE RUN AT HOFBAUER PRESERVE

SECTION 2 PHELPS PREFERRED INVESMENTS, LLC
I.N. 201907260005684

CURVE TABLE					
CURVE NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD DISTANCE
C1	87°10'59"	125.00'	190.20'	S 24°15'55" W	172.38'
C2	169°41'04"	171.76'	508.68'	N 27°18'03" W	342.13'
C3	13°07'57"	171.76'	39.37'	N 64°06'28" E	39.28'
C4	7°48'32"	150.00'	20.44'	S 15°25'18" E	20.43'
C5	19°27'19"	150.00'	50.93'	S 01°47'23" E	50.69'
C6	19°27'19"	150.00'	50.93'	S 17°39'56" W	50.69'
C7	19°27'19"	150.00'	50.93'	S 37°07'15" W	50.69'
C8	19°27'19"	150.00'	50.93'	S 56°34'33" W	50.69'
C9	1°33'13"	150.00'	4.07'	S 67°04'49" W	4.07'
C10	5°11'28"	196.76'	17.83'	S 70°27'09" W	17.82'
C11	15°24'30"	196.76'	52.91'	S 80°45'08" W	52.76'
C12	15°24'30"	196.76'	52.91'	N 83°50'22" W	52.76'
C13	15°24'30"	196.76'	52.91'	N 68°25'52" W	52.76'
C14	15°24'30"	196.76'	52.91'	N 53°01'21" W	52.76'
C15	15°24'30"	196.76'	52.91'	N 37°36'51" W	52.76'
C16	10°24'34"	196.76'	35.75'	N 24°42'19" W	35.70'
C17	15°24'30"	196.76'	52.91'	N 11°47'47" W	52.76'
C18	15°24'30"	196.76'	52.91'	N 03°36'44" E	52.76'
C19	15°24'30"	196.76'	52.91'	N 19°01'14" E	52.76'
C20	15°24'30"	196.76'	52.91'	N 34°25'44" E	52.76'
C21	15°24'30"	196.76'	52.91'	N 49°50'14" E	52.76'
C22	90°00'00"	25.00'	39.27'	S 25°40'26" W	35.36'
C23	90°00'00"	25.00'	39.27'	S 64°19'34" E	35.36'
C24	87°10'59"	100.00'	152.16'	S 24°15'55" W	137.90'
C25	11°47'35"	146.76'	30.21'	S 73°45'12" W	30.15'
C26	79°36'56"	146.76'	203.93'	N 60°32'32" W	187.92'
C27	53°30'15"	146.76'	137.05'	N 06°01'03" E	132.12'
C28	32°02'17"	146.76'	82.06'	N 48°47'19" E	81.00'
C29	5°51'58"	146.76'	15.03'	N 67°44'27" E	15.02'



SCALE: 1" = 50'

Legend

D.E. = Drainage Easement

U.E. = Utility Easement

B.L. = Building Line

GRAPHIC SCALE (in feet)

50

40

30

20

10

0

25

50

100

Line Type Legend

Existing Property Line

Existing R/W Line

Existing R/W Centerline

Existing Easement Line

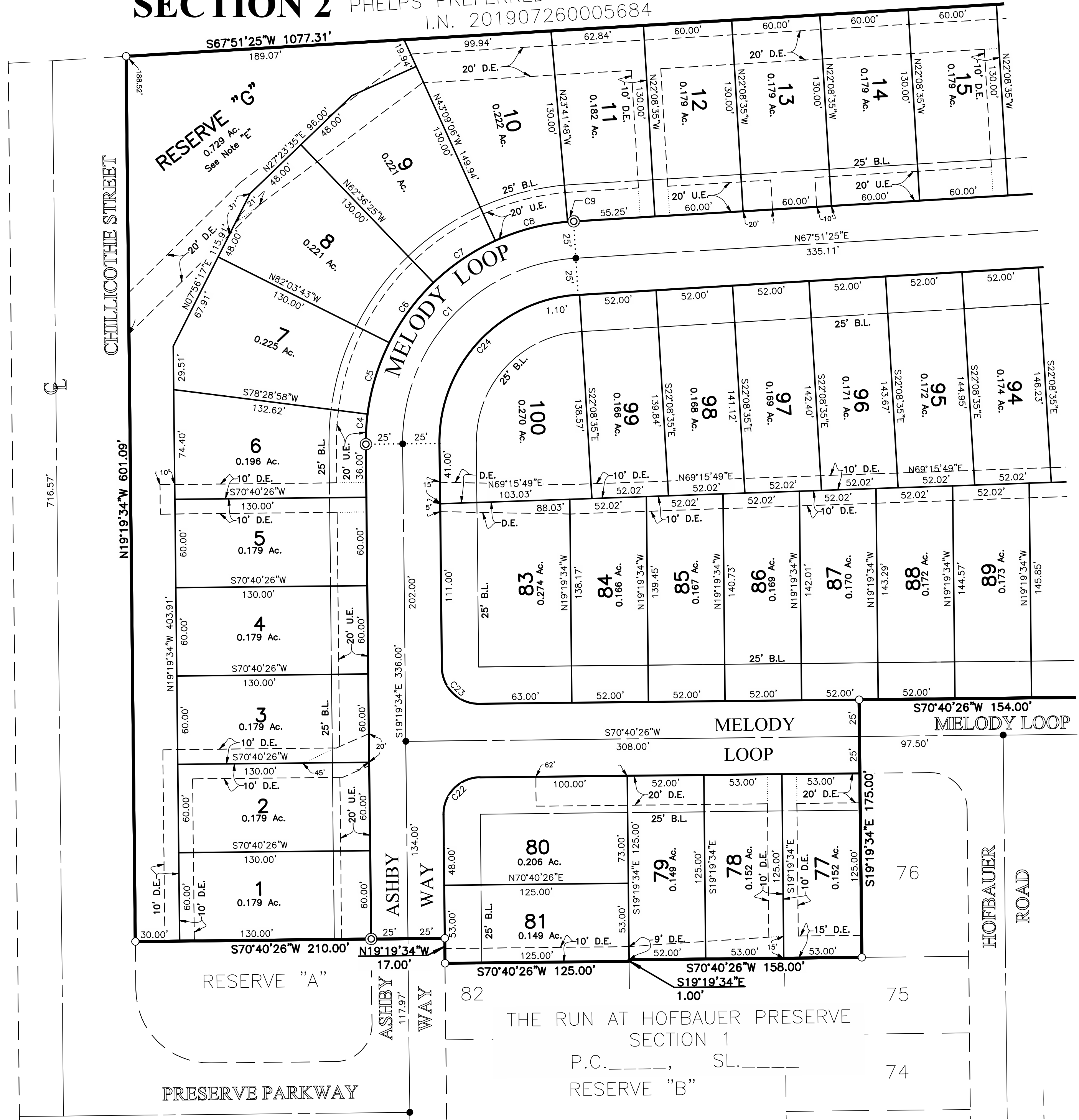
Proposed Subdivision Boundary Line

Proposed Lot Line

Proposed R/W Line

Proposed R/W Centerline

Proposed Easement Line



U:\2021\0314\DWG\CASHIETS\PLAT\20210314-VS-PLAT-SEC2.DWG plotted by COFFMAN, TREVOR on 5/19/2021 11:15:09 AM last saved by COFFMAN, TREVOR on 5/19/2021 10:21:36 AM
Xrefs: 20210314-VS-PLAT-SEC1.DWG & EASEMENTS.DWG & 20210314-RESERVE.DWG & 20210314-VS-CORR-SEC2.DWG & 2021-05-18-EASEMENTS.DWG



MEMORANDUM

To: Members of the Village of Plain City Council
From: Haley Lupton, Village Administrator
Date: September 15, 2026
RE: Resolution 42-2026: Approving a Lease Agreement Between the Village of Plain City and Rooted Village for the Use of The Loft at Public Square

Background:

Village staff has been approached by representatives of Rooted Village, a non-profit organization, to lease The Loft at Public Square (134 Church Street) to host meetings and organizational events and activities pertinent to the mission and purpose of Rooted Village. Upon the review of staff, a six (6) month lease agreement has been drafted and is presented for Council's review in the form of Resolution 42-2026. A brief summary of the lease agreement terms and conditions is as follows:

- Rooted Village may use the facility for a maximum of three (3) hours per week on days and times mutually agreed upon by the Village and Rooted Village.
- Implementing a fee charge rate of one hundred dollars (\$100.00) per month.

The proposed lease agreement is attached to Resolution 42-2026 in the form of Exhibit A.

Objective:

To approve and execute a lease agreement between the Village of Plain City and Rooted Village.

Recommendation:

Staff supports and recommends the passage of Resolution 42-2026 at the second reading on September 28, 2026. The proposed lease agreement meets all legal requirements as set forth by the Village and has been mutually agreed upon by both parties.

RESOLUTION NO. 42-2026

A RESOLUTION APPROVING A LEASE AGREEMENT BETWEEN THE VILLAGE OF PLAIN CITY AND ROOTED VILLAGE FOR THE USE OF THE LOFT AT PUBLIC SQUARE

WHEREAS, the Village of Plain City owns certain real property, known as The Loft at Public Square, with such facility located at 134 Church Street; and

WHEREAS, the non-profit organization, Rooted Village, desires to lease the aforementioned facility; and

WHEREAS, the parties have negotiated and reviewed a proposed lease agreement and have mutually agreed to the terms and conditions of the lease agreement and have found such lease agreement to be in the best interests of both parties; and

WHEREAS, the Village Council has reviewed the proposed lease agreement between the two parties and desires to execute said agreement as detailed in Exhibit A as attached hereto and incorporated herein.

NOW THEREFORE BE IT RESOLVED by the Council of the Village of Plain City, Ohio, a majority of the members elected or appointed thereto concurring, as follows:

Section 1. The Village Council hereby approves and authorizes the execution of the lease agreement, as identified in Exhibit A and attached hereto and incorporated herein, with the non-profit organization, Rooted Village.

Section 2. The Village Administrator is hereby authorized and directed to take any required subsequent action, in accordance with the responsibilities and authority set forth in the Plain City Charter, to execute the lease agreement with the non-profit organization, Rooted Village.

Section 3. It is found that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council and that all deliberations of this Council that resulted in this formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 4. This Resolution shall be effective from and after the earliest period provided by law.

Passed: _____, 2026

Attest: _____
Clerk of Council Mayor

First reading: _____, 2026 Vote: ____yea ____nay ____abstain

Second reading: _____, 2026 Vote: ____yea ____nay ____abstain

Certificate of Publication

The undersigned, being Clerk of Council of the Village of Plain City, hereby certifies that the foregoing was published by posting for 15 days as required by law and in accordance with Section 4.15 of the Codified Ordinances. The posting was done from _____, 2026 to _____, 2026 at the Office of the Clerk of Council located at 800 Village Boulevard; being in the Village of Plain City, Ohio, and the Village of Plain City Website at www.plaincityohio.gov.

Date: _____, 2026

Clerk of Council

RESOLUTION 42-2026 EXHIBIT A

**Approving a Lease Agreement Between the Village of Plain City and Rooted
Village for the Use of The Loft at Public Square**

Lease Agreement

FACILITIES USE AND LEASE AGREEMENT

This agreement by and between the Village of Plain City, located at 800 Village Boulevard, Plain City, Ohio 43064 ("Owner"), and Rooted Village, of _____ ("User"), will take effect on the _____ day of _____, 2026 and will continue for a period of **six (6) months**.

WHEREAS, Owner presently owns premises located at 134 Church Street, Plain City, Ohio 43064, known as The Loft at Public Square (the "Premises"); and,

WHEREAS, User has requested to lease the Premises to conduct operations pertinent to the purpose of the User's mission; and,

WHEREAS, Owner has agreed to allow User to use the facilities provided that the following terms and conditions are met.

IT IS THEREFORE AGREED BY AND BETWEEN THE PARTIES:

1. Owner agrees to permit the User to use The Loft at Public Square for the above described purpose for:
A maximum of three hour per week on days and times agreed by the Owner and User. The Village Administrator of the Village of Plain City (village@plaincityohio.gov) is the contact person for Owner and (rootedvillagecommunity@gmail.com) is the contact person for User to coordinate the details of usage. Usage is subject to availability and must be confirmed as soon as reasonably possible prior to the requested reservation. The Loft at Public Square will not be available to User on the Fourth of July, or during Owner's events, including but not limited to Christmas Under the Clock, and other pre-existing events on the Village's event calendar.
2. Fee Agreement. When Owner approves a date for User to utilize The Loft at Public Square, the User will be charged a fee of one hundred dollars (\$100.00) per month and such fee shall be due the first business day of each month.
3. User agrees that it will not use the Premises for any unlawful purposes, and will obey all laws, rules, and regulations of all governmental authorities while using the above described facilities. User shall follow the Village of Plain City Rental Agreement Terms:
 - a. Smoking is prohibited in all Village buildings.
 - b. Clean up is required by User. Building is to be returned to original condition at time of rental. Cleaning supplies and a cleaning checklist are available and should be utilized.
4. User agrees to abide by any rules or regulations for the use of the Premises that are attached to this agreement.
5. User agrees that it is solely responsible to implement appropriate screening and supervision procedures to protect children, youth, and vulnerable adults attending user's function at the above described facilities.
6. User agrees to hold harmless, indemnify and defend Owner (including Owner's agents, employees, and representatives) from any and all liability for injury or damage including, but not limited to, illness, exposure to infectious/ communicable disease, bodily injury, personal injury, emotional injury, or property damage which may result from any person using the above described Premises, its entrances and exits, and surrounding areas, for User's purposes,

regardless of whether such injury or damage results from the negligence of the Owner (including Owner's agents, employees and representatives) or otherwise.

7. User agrees to conduct a visual inspection of the Premises, including entrances and exits, prior to each use, and warrants that the Premises will be used only if it is in a safe condition.
8. This agreement may only be cancelled for cause by either party with thirty (30) days written notice to the other party. Causes for termination are limited to the following:
 - a. User uses the facilities for any purposes other than the intended use of the facility.
 - b. Users leave the facility in a condition that incurs significant cost for the Owner, including needing extensive cleaning, in need of repair, or with missing furniture or property.
 - c. User gives access to the Premises to persons without pre-approved access.
 - d. Persons using the Premises exhibit abusive or discriminatory language, violent behavior or use prohibited substances.
 - e. User disparages or brings negative attention to the Village of Plain City, its employees, residents, or contractors.
 - f. Owner relinquishes ownership of the facilities.
 - g. The facilities are condemned or determined to be unsafe for use by any governmental agency.
9. In the event that the Owner must cancel this agreement, User will be entitled to any deposit or fee User has paid. However, in no event will Owner be liable to User for any lost profits or incidental, indirect, special, or consequential damages arising out of User's inability to use the above-described Premises, even if Owner has been advised of the possibility of such damages.
10. User agrees that it will not assign any of its rights under this agreement, and any such assignment will void this agreement at the sole option of the Owner.
11. Owner and User agree that any disputes arising under this agreement will be resolved via a mutually acceptable alternative dispute resolution process.
12. This document contains the entire agreement of the parties and supersedes all prior written or oral agreements relating to the subject matter.
13. The User shall retain non-profit status for the duration of this agreement and in the event of the dissolution of the organization or loss of the non-profit status, this agreement shall be void and shall not be transferred to another organization or individual.

Dated this _____ day of _____, 2026.

OWNER:

USER:

Owner's Representative Signature

User's Representative Signature

Owner's Representative Printed Name

User's Representative Printed Name

Owner's Representative Title

User's Representative Title



MEMORANDUM

To: Members of the Village of Plain City Council
From: Haley Lupton, Village Administrator
Date: September 16, 2026
RE: Resolution 43-2026: Authorizing and Implementing the Facility Rental and Lease Policy for Nonprofit Organizations

Background:

The Village recognizes the important role nonprofit organizations play in providing services, recreation, education, cultural opportunities, and community engagement. The proposed policy, titled "Facility Rental and Lease Policy for Nonprofit Organizations", would establish affordable rental rates and lease options for nonprofit organizations while ensuring Village facilities are maintained and available for public use. The final draft of the Facility Rental and Lease Policy for Nonprofit Organizations is attached to Resolution 43-2026 in the form of Exhibit A. If approved, the Facility Rental and Lease Policy for Nonprofit Organizations will reside within the Policy and Procedure Manual.

Objective:

To formalize, approve, and implement a policy that supports transparency and equal applicability to all requests to the Village by nonprofit organizations to rent public spaces at discounted rates.

Recommendation:

Staff supports and recommends the passage of Resolution 43-2026 at the second reading on October 12, 2026. The policy provides fair, reasonable, and transparent standards for consistently evaluating the numerous nonprofit rental requests the Village receives each year and establishes clear requirements for obtaining discounted rental rates for public spaces.

RESOLUTION NO. 43-2026

A RESOLUTION AUTHORIZING AND IMPLEMENTING THE FACILITY RENTAL AND LEASE POLICY FOR NONPROFIT ORGANIZATIONS

WHEREAS, the Village of Plain City Council desires to maintain a Policy and Procedure Manual in which the operations of the Village of Plain City are defined as it relates to various Village administrative tasks and endeavors; and

WHEREAS, a policy that defines the conditions and circumstances in which local nonprofit organizations may be eligible to receive discounted rates for the rental or lease of Village rental facilities has been determined to be necessary and shall be known as the Facility Rental and Lease Policy for Nonprofit Organizations; and

WHEREAS, staff recommends that the proposed Facility Rental and Lease Policy for Nonprofit Organizations, as detailed in Exhibit A attached hereto and incorporated herein, be adopted as part of the Policy and Procedure Manual; and

WHEREAS, the Village Council concurs with the recommendation of staff and has determined that the adoption and implementation of the Facility Rental and Lease Policy for Nonprofit Organizations is in the best interests of the Village of Plain City.

NOW THEREFORE BE IT RESOLVED by the Council of the Village of Plain City, Ohio, a majority of the members elected or appointed thereto concurring, as follows:

Section 1. The Village Council hereby approves and authorizes the implementation of the Facility Rental and Lease Policy for Nonprofit Organizations, as identified in Exhibit A, and attached hereto and incorporated herein.

Section 2. The Village Administrator is hereby authorized and directed to take any required subsequent action, in accordance with the responsibilities and authority set forth in the Plain City Charter, for the implementation, execution, and operation of the Facility Rental Lease Policy for Nonprofit Organizations.

Section 3. It is found that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council and that all deliberations of this Council that resulted in this formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 4. This Resolution shall be effective from and after the earliest period provided by law.

Passed: _____, 2026

Attest: _____
Clerk of Council Mayor

First reading: _____, 2026 Vote: ____yea ____nay ____abstain

Second reading: _____, 2026 Vote: ____yea ____nay ____abstain

Certificate of Publication

The undersigned, being Clerk of Council of the Village of Plain City, hereby certifies that the foregoing was published by posting for 15 days as required by law and in accordance with Section 4.15 of the Codified Ordinances. The posting was done from _____, 2026 to _____, 2026 at the Office of the Clerk of Council located at 800 Village Boulevard; being in the Village of Plain City, Ohio, and the Village of Plain City Website at www.plaincityohio.gov.

Date: _____, 2026

Clerk of Council

RESOLUTION 43-2026 EXHIBIT A

Authorizing and Implementing the Facility Rental and Lease Policy for Nonprofit Organizations

Facility Rental and Lease Policy for Nonprofit Organizations



POLICY & PROCEDURE MANUAL

TO: Village of Plain City Employees

FROM: Haley Lupton, Village Administrator

SUBJECT: Facility Rental and Lease Policy for Nonprofit Organizations, Section 4.6

ADOPTION DATE: _____, 2026

First edition. Enacted _____, 2026 by Resolution XX-2026.

PROPONENT: Office of the Village Administrator

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1. PURPOSE

The Village recognizes the important role nonprofit organizations play in providing services, recreation, education, cultural opportunities, and community engagement. This policy establishes affordable rental rates and lease options for nonprofit organizations while ensuring Village facilities are maintained and available for public use.

2. DEFINITIONS

- A. **Nonprofit Organization:** Means a nonprofit organization as defined by the Internal Revenue Service.

3. RESPONSIBILITY AND AUTHORITY

- A. **Administrator** – It is the responsibility of the Administrator to:
- (1) Review all lease requests in accordance with the criteria and priorities set forth herein.
 - (2) Present a recommendation of approval or denial of the lease to the Village Council.
 - (3) Ensure that leases are maintained and updated in accordance with this policy.
 - (4) Delegate responsibilities, as needed, to the appropriate employee to ensure the efficient operation of the policy.
- B. **Village Council** – It is the responsibility of the Village Council:
- (1) Approve or deny lease requests and set terms, as applicable.

4. POLICY

- A. **Eligibility**
- (1) To qualify for nonprofit rental rates, an organization must:
 - a. Be registered as a nonprofit organization under applicable federal or state law.
 - b. Provide documentation of nonprofit status and financial statements upon request.
 - c. Use the facility for purposes consistent with its stated mission.
 - d. Comply with all Village ordinances, policies, and facility use regulations.
 - (2) Organizations that cannot provide nonprofit documentation will be charged the standard rental rate.
- B. **Available Facilities**
- (1) The Village may make the following facilities available for rental or lease:
 - a. Youth Building
 - b. Park Shelters
 - c. The Loft at Public Square
 - d. The Depot at Public Square
 - e. Other Village-owned facilities as approved by the Village Council

- (2) Facility availability is subject to scheduling, maintenance needs, public events, and Village operations.

C. Nonprofit Rental Rates

- (1) To encourage community programming, eligible nonprofit organizations shall receive discounted rates. Only weekday rentals are eligible for the discounted rate.

Facility Type	Standard Rate	Adjusted Nonprofit Rate
Youth Building	\$150	\$25/day
The Loft at Public Square	\$150/\$300	\$25/day
The Depot at Public Square	\$325/\$375	\$25/day
Park Shelter	Free	Free
Madison Meadows Shelter	\$60	\$5/day
Other Recreation Facilities		50% discount

- (2) The Village Council or Village Administrator may waive rental fees entirely for events determined to provide a substantial public benefit (examples include the Plain City Arts Walk event or the Plain City Business Association Pool Party). The Village shall be listed as a sponsor on these events.

D. Monthly Lease Options

- (1) Nonprofit organizations requiring the recurring use of a Village facility may enter into a monthly lease agreement.
- (2) Tier 1: Limited Use Lease
- Up to twenty (20) hours per month. No more than five (5) hours per week.
 - Lease typically limited to six (6) months at a time.
 - Monthly lease rate: \$100.00
- (3) Tier 2: Regular Use Lease
- Up to forty (40) hours per month. No more than ten (10) hours per week.
 - Lease typically limited to six (6) months at a time.
 - Monthly lease rate: \$200.00
- (4) Tier 3: Dedicated Program Lease
- Up to eighty (80) hours per month. No more than twenty (20) hours per week.
 - Reserved recurring schedule and longer lease terms are available.
 - Monthly lease rate: \$500.00

E. Lease Terms

- (1) All nonprofit leases shall:
- Be approved by the Village Council.
 - Be executed in writing by the Village Administrator.
 - Have an initial term not exceeding one (1) year unless otherwise approved.
 - Require proof of appropriate liability insurance naming the Village as an additional insured.

- e. Prohibit assignment or subleasing without Village approval.

F. Maintenance Responsibilities

- (1) Unless otherwise stated in the lease agreement:
 - a. Nonprofit organizations shall keep leased spaces clean and orderly and adhere to all cleaning guidelines.
 - b. Nonprofit organizations are responsible for damages caused by their staff, volunteers, participants, and/or guests.
 - c. The Village shall remain responsible for major structural repairs and building systems.
 - d. Lessees shall promptly report maintenance concerns to the appropriate Village employee.
- (2) Additional maintenance obligations may be assigned through specific lease agreements.

G. Utilities

- (1) For monthly leases:
 - a. At the Village's discretion, utilities may be included in the lease rate for all program leases.
 - b. Utility arrangements shall be specified within the lease agreement.

H. Termination of Lease Agreement

- (1) The Village may terminate a lease agreement for:
 - a. Nonpayment of rent.
 - b. Violation of Village policies.
 - c. Unlawful activity.
 - d. Damage to Village property.
 - e. Failure to maintain required insurance.
- (2) Except in emergencies, the Village shall provide at least thirty (30) days written notice of termination of a lease agreement.

I. Policy Review

- (1) The Village Council shall periodically review this policy and fee schedule to ensure affordability for nonprofit organizations while protecting Village assets and resources.