



WHITEHALL CITY COUNCIL COMMITTEE MEETING  
WEDNESDAY, JUNE 24, 2026

**ADMINISTRATION/COUNCIL OF THE WHOLE MATTERS:**

THERE ARE NO PIECES OF DRAFT LEGISLATION ON THE AGENDA.

**COMMITTEE OF THE WHOLE LEGISLATION/ISSUES:**

**SECOND READING:**

ORDINANCE NO. 060-2026 (*Comm of the Whole-3rd Reading-ADOPT 07/21/2026- / )*

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE NECESSARY CONVEYANCE DOCUMENTS TO ACQUIRE PROPERTY FROM SHE BUYS HOUSES 365 LLC LOCATED AT 3791 EAST BROAD STREET, WHITEHALL, OHIO 43213 AND DECLARING AN EMERGENCY.

RESOLUTION NO. 025-2026 (*Comm of the Whole-2nd Reading-SUSP & ADOPT 07/07/2026-McCann/Morrison*)

ADOPTING THE TAX BUDGET FOR THE CITY OF WHITEHALL, OHIO, FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2027 AND SUBMITTING SAME TO THE COUNTY AUDITOR.

**STANDING COMMITTEES**

**ADMINISTRATION AND FINANCIAL MANAGEMENT - CHAIRPERSON ELMORE**

No drafts or pending legislation.

**COMMUNITY AND ELDER ADVOCACY- CHAIRPERSON HARCAR**

Members: Adkins, Dixon, Brown

No drafts or pending legislation.

**COMMUNITY STANDARDS AND ENFORCEMENT – CHAIRPERSON MCCANN**

Members: Dixon, Elmore, Harcar

**THIRD READING:**

ORDINANCE NO. 049-2026 (*Comm Stan & Enf- 3rd Reading- ADOPT-07/07/2026-McCann/Elmore*)

AN ORDINANCE TO AMEND 505.23 OF THE WHITEHALL CODIFIED ORDINANCES TO PROHIBIT THE FEEDING OF DEER.

ORDINANCE NO. 050-2026 (*Comm Stan & Enf- 3rd Reading- ADOPT-07/07/2026-McCann/Harcar*)

*Planning Commission meeting on July 2, 2026*

*Public Hearing on July 7, 2026*

AMENDING SECTION 1111.10 OF THE PLANNING AND ZONING CODE TO PROMOTE THE SAFETY OF DRIVE-THRU FACILITIES BY REQUIRING BY-PASS LANES AND EMERGENCY VEHICLE EGRESS IN THE CITY OF WHITEHALL; AND DECLARING AN EMERGENCY.

**ECONOMIC DEVELOPMENT – CHAIRPERSON DIXON**

Members: McCann, Morrison, Brown

No drafts or pending legislation.

**INFRASTRUCTURE, MAINTENANCE AND SERVICES - CHAIRPERSON BROWN**

No drafts or pending legislation.

**PUBLIC SAFETY – CHAIRPERSON MORRISON**

Members: Elmore, Adkins, Harcar

No drafts or pending legislation.

**PARKS AND RECREATION – CHAIRPERSON ADKINS**

Members: Elmore, Harcar, McCann

No drafts or pending legislation.

**ADJOURN**

**ORDINANCE NO. 060-2026**

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE NECESSARY CONVEYANCE DOCUMENTS TO ACQUIRE PROPERTY FROM SHE BUYS HOUSES 365 LLC LOCATED AT 3791 EAST BROAD STREET, WHITEHALL, OHIO 43213 AND DECLARING AN EMERGENCY.

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WHEREAS, the City of Whitehall (the "City") has been negotiating with property owner She Buys Houses 365 LLC (the "Property Owner") for the purchase of her property located at 3791 East Broad Street, Whitehall, Ohio, 43213 (the "Property"); and

WHEREAS, the City entered into a Purchase Sale Agreement with the Property Owner for the purchase of the Property; and

WHEREAS, the City and the Property Owner participated in good faith discussion and have come to mutually agreeable terms for the acquisition of the Property for the sum of \$320,000.00; and

WHEREAS, this property acquisition will position the City to attract and support the development of new commercial use(s), as well as strengthen the local tax base, provide opportunities for economic growth, and support the continued revitalization of the Broad Street District (BRD); and

WHEREAS, the City desires to execute necessary conveyance documents to complete the transaction between the City and the Property Owner; NOW, THEREFORE,

BE IT ORDAINED by the Council of the City of Whitehall, Franklin County, State of Ohio, of the elected members concurring that:

SECTION 1: The Mayor is hereby authorized to execute all necessary conveyance documents to acquire the Property for \$320,000.00, said Property with a physical address of 3791 East Broad Street, Whitehall, Ohio, 43213, and identified as Franklin County Parcel No. 090-005108-00.

SECTION 2: Council further hereby authorizes and directs the Mayor, Economic Development Director, City Attorney, Director of Finance, Clerk of Council, or other appropriate officers of the City to take any other actions as may be appropriate to implement this Ordinance without further legislation being required.

SECTION 3: That this Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public health, peace, safety, and welfare, and for the further reason that legal agreements have been reached and now agreements must be signed; WHEREFORE, this Ordinance shall go into full force and effect immediately upon its passage and approval by the Mayor.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

ATTEST:

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

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

APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
Mayor

Requested by: Jackie Russell, Director of Economic Development 06/13/2026  
Prepared by: Lara Jones, Economic Development Specialist 06/12/2026  
Approved as to form: Bradley S. Nicodemus, City Attorney *bsn* 6/16/2026

**RESOLUTION NO. 025-2026**

ADOPTING THE TAX BUDGET FOR THE CITY OF WHITEHALL, OHIO, FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2027 AND SUBMITTING SAME TO THE COUNTY AUDITOR.

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WHEREAS, the Mayor and City Auditor have prepared a budget for the fiscal year beginning January 1, 2027; and

WHEREAS, said budget has been made conveniently available for the public inspection for at least ten (10) days by having two (2) copies thereof on file in the Office of the Auditor; and

WHEREAS, the Council of the City of Whitehall, Ohio, has held a public hearing on said budget on July 7, 2026, and the Mayor has given notice by publication according to law; NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WHITEHALL, OHIO:

SECTION 1: That the budget of the City of Whitehall, Ohio, for the fiscal year beginning January 1, 2027, submitted by the Mayor and the City Auditor to this Council, be and is hereby adopted as the Tax Budget of the City of Whitehall for the fiscal year beginning January 1, 2027.

SECTION 2: That the Clerk of this Council be and is authorized and directed to certify a copy of said budget and a copy of this Resolution and to transmit the same to the Auditor of Franklin County, Ohio, on or before July 20, 2026.

SECTION 3: This resolution shall go into full force and effect immediately upon its passage and approval by the Mayor.

PASSED this \_\_\_\_ day of \_\_\_\_\_, 2026.

ATTEST:

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

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

APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
Mayor



**GENERAL FUND BALANCE SUMMARY**

	2023 Actual	2024 Actual	2025 Actual	2026 Budget	2027 Proposed Budget
Starting Balance	\$ 6,805,564.96	\$ 2,333,208.62	\$ 5,685,223.08	\$ 6,935,689.69	\$ 5,875,383.25
Total Income	\$ 42,760,795.07	\$ 39,538,367.74	\$ 40,658,669.40	\$ 42,005,620.47	\$ 42,038,308.03
Total Expenses	\$ 47,233,151.41	\$ 36,186,353.28	\$ 39,408,202.79	\$ 43,065,926.91	\$ 45,908,109.90
Net Revenue/Loss	\$ (4,472,356.34)	\$ 3,352,014.46	\$ 1,250,466.61	\$ (1,060,306.44)	\$ (3,869,801.87)
Ending General Fund Balance	\$ 2,333,208.62	\$ 5,685,223.08	\$ 6,935,689.69	\$ 5,875,383.25	\$ 2,005,581.38

**GENERAL FUND INCOME SUMMARY**

	2023 Actual	2024 Actual	2025 Actual	2026 Budget	2027 Proposed Budget
County Real Estate Tax 8015 (Property Tax)	\$ 381,021.01	\$ 522,677.71	\$ 526,513.23	\$ 463,500.00	\$ 515,000.00
Special Assessments	\$ 28,390.23	\$ 113,944.37	\$ 36,261.86	\$ 36,050.00	\$ 37,131.50
MFG Home Rollback-State	\$ 7.35	\$ 8.86	\$ 9.76	\$ 10.30	\$ 10.61
MFG Homes Homestead-County	\$ 238.11	\$ 102.32	\$ 102.68	\$ 257.50	\$ 265.23
Proptax Rollback-Homestead Exempt	\$ 61,197.28	\$ 92,024.54	\$ 58,345.71	\$ 64,890.00	\$ 66,836.70
Municipal Net Profit Tax	\$ 259,387.88	\$ 210,516.73	\$ 333,706.40	\$ 360,500.00	\$ 371,315.00
Electric Co-Muni Income Tax	\$ 8,072.44	\$ 4,263.06	\$ 8,176.27	\$ 5,974.00	\$ 6,153.22
City Income Tax	\$ 28,738,195.02	\$ 33,873,375.58	\$ 35,824,516.50	\$ 36,050,000.00	\$ 36,400,000.00
Admin Fee/Subpoena Tax Cases	\$ -	\$ -	\$ -	\$ -	\$ -
Insurance Medical Payment	\$ -	\$ -	\$ -	\$ 103.00	\$ 106.09
State Local Government Share	\$ 29,798.57	\$ 99,090.02	\$ 110,862.07	\$ 26,922.14	\$ 27,729.80
County Local Government Share	\$ 975,021.05	\$ 918,399.28	\$ 900,907.14	\$ 1,030,412.00	\$ 1,061,324.36
Cigarette License Tax	\$ 1,029.71	\$ 832.52	\$ 1,001.10	\$ 1,029.36	\$ 1,060.24
Liquor and Beer Permits	\$ 32,889.15	\$ 36,824.55	\$ 35,863.10	\$ 29,033.13	\$ 29,904.12
Cannabis Revenue	\$ -	\$ -	\$ -	\$ 136,459.67	\$ 140,553.46
Local Gov't County - Holiday Sales Tax	\$ -	\$ -	\$ 5,768.06	\$ 6,000.00	\$ 6,180.00
Local Gov't State - Holiday Sales Tax	\$ -	\$ -	\$ 972.80	\$ 1,000.00	\$ 1,030.00
Fines - Mayor's Court	\$ 333,899.02	\$ 320,271.45	\$ 205,238.65	\$ 386,378.75	\$ 397,970.11
Costs - Mayor's Court	\$ 33,645.70	\$ 32,983.00	\$ 23,226.00	\$ 38,798.81	\$ 39,962.77
Bonds - Mayor's Court	\$ 3,900.00	\$ -	\$ -	\$ 4,750.88	\$ 4,893.41
Misc. - Mayor's Court	\$ 1,345.00	\$ 498.00	\$ 972.00	\$ 1,863.40	\$ 1,919.30
Court Interpreter Fees	\$ -	\$ -	\$ -	\$ -	\$ -
Interest on Investments	\$ 637,464.04	\$ 708,827.24	\$ 701,110.65	\$ 506,760.00	\$ 532,098.00
Realized Gain/Loss	\$ -	\$ -	\$ -	\$ -	\$ -



**GENERAL FUND BALANCE SUMMARY**

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**GENERAL FUND INCOME SUMMARY**

	2023 Actual	2024 Actual	2025 Actual	2026 Budget	2027 Proposed Budget
Muni Net Profit Tax - Interest	\$ 6,268.96	\$ 3,210.73	\$ 5,614.80	\$ 6,123.35	\$ 6,307.05
Building Permits	\$ 225,790.92	\$ 192,639.32	\$ 386,851.17	\$ 242,822.50	\$ 250,107.18
Plumbing Permits	\$ -	\$ -	\$ -	\$ 105.58	\$ 108.75
Mindbody CCard Fee Revenue	\$ 4,585.25	\$ 3,133.20	\$ 4,728.67	\$ 4,328.58	\$ 4,458.44
Service - Sewer Tapping Fee	\$ 45,620.00	\$ 6,088.00	\$ -	\$ 36,951.25	\$ 38,059.79
Refuse Collection Bins	\$ 2,345.00	\$ 2,145.00	\$ 1,725.00	\$ 2,217.08	\$ 2,283.59
Accident Reports/Damage collect	\$ 38,656.01	\$ 33,659.75	\$ 3,350.03	\$ 52,787.50	\$ 54,371.13
Refuse Collections Admin Fee	\$ 35,384.21	\$ 34,523.40	\$ 55,331.83	\$ 32,728.25	\$ 33,710.10
Right of Way	\$ 4,875.00	\$ 4,400.00	\$ 5,800.00	\$ 4,750.88	\$ 4,893.41
Service - Miscellaneous	\$ 6,577.94	\$ 3,944.47	\$ 943.52	\$ 9,712.90	\$ 10,004.29
County OVI Taskforce	\$ 2,437.67	\$ 5,242.79	\$ 4,165.99	\$ 4,223.00	\$ 4,349.69
School Resource Officer	\$ 168,177.68	\$ 90,065.68	\$ 180,824.68	\$ 177,366.00	\$ 182,686.98
BWC Early payment Refund	\$ 7,872.00	\$ 31,596.80	\$ 21,244.66	\$ 2,111.50	\$ 2,174.85
Festival Sponsors, ETC.	\$ 217,159.49	\$ 136,269.39	\$ 106,026.55	\$ 224,082.94	\$ 230,805.43
Cable Franchise Fees	\$ 152,725.52	\$ 130,619.05	\$ 115,910.33	\$ 172,087.25	\$ 177,249.87
Fixed Assets/Property Sale	\$ 503.00	\$ 30,809.00	\$ 2.00	\$ 1,583.63	\$ 1,631.14
Refunds Reimbursements	\$ 581,436.30	\$ 316,102.65	\$ 515,435.69	\$ 723,188.75	\$ 744,884.41
Miscellaneous - General	\$ 70.00	\$ 70.00	\$ -	\$ 52.79	\$ 54.37
Fire Division Permits, Photocopies, Etc.	\$ 10,400.00	\$ 5,000.00	\$ 6,300.00	\$ 8,446.00	\$ 8,699.38
Misc. - Police Department	\$ 25,209.35	\$ 14,679.50	\$ 22,740.75	\$ 30,088.88	\$ 30,991.55
Employee Health Insurance Premiums	\$ 173,655.28	\$ 195,152.29	\$ -	\$ -	\$ -
EMS Collections	\$ 202,536.11	\$ 258,736.67	\$ 246,280.98	\$ 226,986.25	\$ 233,795.84
Business Donations	\$ -	\$ -	\$ 1,865.00	\$ -	\$ -
Stop Loss Reimbursement	\$ 32,592.50	\$ 759,575.74	\$ -	\$ -	\$ -



**GENERAL FUND BALANCE SUMMARY**

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Total Expenses	\$ 47,233,151.41	\$ 36,186,353.28	\$ 39,408,202.79	\$ 43,065,926.91	\$ 45,908,109.90
Net Revenue/Loss	\$ (4,472,356.34)	\$ 3,352,014.46	\$ 1,250,466.61	\$ (1,060,306.44)	\$ (3,869,801.87)
Ending General Fund Balance	\$ 2,333,208.62	\$ 5,685,223.08	\$ 6,935,689.69	\$ 5,875,383.25	\$ 2,005,581.38

**GENERAL FUND INCOME SUMMARY**

	2023 Actual	2024 Actual	2025 Actual	2026 Budget	2027 Proposed Budget
Pharmacy Rebates	\$ 25,552.95	\$ 76,745.38	\$ -	\$ -	\$ -
Lost Employee ID	\$ -	\$ -	\$ -	\$ -	\$ -
Cell Tower Leases	\$ 154,688.26	\$ 162,578.15	\$ 164,287.70	\$ 166,808.50	\$ 171,812.76
In House Plan Reviews	\$ -	\$ -	\$ -	\$ 105.58	\$ 108.75
Minimum Service Payments	\$ -	\$ -	\$ -	\$ 1,583.63	\$ 1,631.14
Advance Back	\$ 219,450.00	\$ 55,765.00	\$ -	\$ -	\$ -
Transfer Revenue	\$ 615,000.00	\$ -	\$ -	\$ 527,875.00	\$ -
JEDD Revenue	\$ 1,313.64	\$ 1,362.41	\$ 62.49	\$ -	\$ -
Splash Pad	\$ 364.36	\$ 150.00	\$ 800.00	\$ 2,027.04	\$ 2,087.85
Security Deposit	\$ 8,550.00	\$ 1,575.00	\$ 900.00	\$ 10,029.63	\$ 10,330.52
Security Deposit (2)	\$ -	\$ -	\$ -	\$ 23,226.50	\$ 23,923.30
P&R Rentals	\$ -	\$ -	\$ -	\$ 121,411.25	\$ 125,053.59
Farmers Market	\$ 2,933.00	\$ 1,956.00	\$ -	\$ 12,669.00	\$ 13,049.07
General Recreation	\$ 4,131.13	\$ 336.88	\$ 528.28	\$ 4,223.00	\$ 4,349.69
Picnic Shelters	\$ 5,454.56	\$ 3,045.00	\$ 6,810.00	\$ 12,669.00	\$ 13,049.07
Senior Center Rentals	\$ -	\$ 823.35	\$ 4,864.00	\$ -	\$ -
YMCA Rentals	\$ -	\$ 4,729.91	\$ 4,275.00	\$ -	\$ -
Hockey Rink Rentals	\$ -	\$ 640.00	\$ 1,710.00	\$ -	\$ -
General Recreation (Two)	\$ -	\$ 27,698.00	\$ 8,146.30	\$ -	\$ -
Athletic Fields	\$ 9,409.77	\$ 8,660.00	\$ 7,590.00	\$ 9,554.54	\$ 9,841.18
PD Reno Bond Proceeds	\$ 8,243,567.65	\$ -	\$ -	\$ -	\$ -
<b>Total General Fund Income</b>	<b>\$ 42,760,795.07</b>	<b>\$ 39,538,367.74</b>	<b>\$ 40,658,669.40</b>	<b>\$ 42,005,620.47</b>	<b>\$ 42,038,308.03</b>



**GENERAL FUND EXPENSE SUMMARY**

	2023 Actual	2024 Actual	2025 Actual	2026 Budget	2027 Proposed Budget
<b>City Council</b>	\$ 140,304.23	\$ 133,859.94	\$ 138,087.81	\$ 227,445.00	\$ 235,220.56
<b>Office of Mayor</b>	\$ 1,425,896.40	\$ 1,147,881.63	\$ 1,358,510.69	\$ 904,000.00	\$ 934,110.39
<b>Information Technology</b>	\$ -	\$ -	\$ -	\$ 415,450.00	\$ 444,371.71
<b>Court</b>	\$ -	\$ -	\$ -	\$ 239,700.00	\$ 255,680.46
<b>Neighborhood</b>	\$ -	\$ -	\$ -	\$ 165,500.00	\$ 176,526.16
<b>Economic Development</b>	\$ -	\$ -	\$ -	\$ 533,236.00	\$ 632,601.87
<b>Auditor/Income Tax/Treasurer</b>	\$ 2,832,098.68	\$ 2,418,144.77	\$ 2,418,373.94	\$ 3,055,665.00	\$ 2,928,150.57
<b>Human Resources</b>	\$ 186,197.09	\$ 202,605.95	\$ 238,070.28	\$ 288,400.00	\$ 303,846.04
<b>City Attorney</b>	\$ 458,016.40	\$ 408,177.97	\$ 442,234.73	\$ 564,352.00	\$ 586,976.24
<b>Public Service</b>	\$ 530,717.97	\$ 602,931.22	\$ 664,311.12	\$ 588,541.00	\$ 710,221.37
<b>Parks and Recreation</b>	\$ 1,339,512.55	\$ 1,215,283.00	\$ 1,393,026.29	\$ 1,581,853.44	\$ 1,670,654.88
<b>Civil Service</b>	\$ 46,785.66	\$ 33,350.00	\$ 47,969.55	\$ 29,200.00	\$ 29,980.00
<b>Benefits</b>	\$ 7,688,444.01	\$ 7,464,463.68	\$ 5,186,537.65	\$ 5,984,510.00	\$ 6,714,102.09
<b>City-Wide Maint and Expense</b>	\$ 18,535,296.12	\$ 8,303,107.11	\$ 12,974,630.57	\$ 10,747,346.83	\$ 11,670,991.71
<b>Police</b>	\$ 8,518,156.79	\$ 8,551,747.06	\$ 8,546,295.06	\$ 10,814,177.64	\$ 11,282,545.98
<b>Fire</b>	\$ 5,531,725.51	\$ 5,704,800.95	\$ 6,000,155.10	\$ 6,926,550.00	\$ 7,332,129.88
<b>Total General Fund Expenses</b>	<b>\$ 47,233,151.41</b>	<b>\$ 36,186,353.28</b>	<b>\$ 39,408,202.79</b>	<b>\$ 43,065,926.91</b>	<b>\$ 45,908,109.90</b>

ORDINANCE NO. 049-2026

ORDINANCE NO. 00-2026

AN ORDINANCE TO AMEND 505.23 OF THE WHITEHALL CODIFIED ORDINANCES TO PROHIBIT THE FEEDING OF DEER.

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WHEREAS, the City has observed that there is a significant and growing deer population; and

WHEREAS, the deer population in the City poses a hazard to motorists in the City, causes a reduction in plant life, and causes damage to landscaping installed by residents and commercial landowners of the City; and,

WHEREAS, the feeding of deer has been shown to increase the concentration of deer in the area of feeding, thereby increasing the likelihood of a) collisions between vehicles and deer, and b) damage to vegetation and landscaping in the area; and,

WHEREAS, the feeding of deer has been shown to encourage them to remain in urbanized areas and to become reliant on non-native food sources that may not be sustainable or healthy; and,

WHEREAS, Council finds that the adoption of an ordinance regulating the feeding of deer promotes the health, safety, and welfare of the citizens of the City is necessary; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WHITEHALL, OHIO:

SECTION 1: That Section 505.23 of the Whitehall Codified Ordinances, titled "Feeding of Waterfowl Prohibited" is hereby amended as follows:

**505.23 FEEDING OF WATERFOWL AND DEER PROHIBITED.**

(a) Feeding Waterfowl Prohibited:

(1) No person shall purposely feed, ~~cause to be fed, or provide or make food available for consumption by~~ ~~for~~ domestic or migratory waterfowl on private or public property within the City. ~~of Whitehall and no person shall create or foster any condition, or allow any condition to exist or continue, which results in a congregation or congestion of domestic or migratory waterfowl in residential areas of the City of Whitehall.~~

(2) No person shall recklessly feed or make food available for consumption by domestic or migratory waterfowl on private or public property within the City.

(3) No person shall create or foster ~~and~~ a condition which results in a congregation of congestion of domestic or migratory waterfowl on private or public property within the City.

(b) Feeding Deer Prohibited:

(1) No person shall purposely feed or make food available for consumption by deer on private or public property within the City.

(2) No person shall recklessly feed or make food available for consumption by deer on private or public property within the City.

(c) Removal Required: Each property owner or person having control of the property shall have the duty to remove any device or materials placed on the owner's property in violation of this section. Alternatively, a property owner or person having control of the property may modify such a device or make other changes to the property that prevent waterfowl or deer from having access to the materials or feeding from the device.

(d) Exceptions to Prohibitions.

(1) The prohibitions in this section shall not apply to any health department employee, law enforcement officer, or state or federal game official acting within the scope of his or her official duties.

(2) The prohibitions in this section shall not apply to feeding waterfowl that is authorized and conducted by the City.

ORDINANCE NO. 049-2026

ORDINANCE NO. 00-2026

The prohibitions in this section shall not apply to feeding deer that is authorized as part of a deer management program.

~~(a)~~(e) Definitions: For the purposes of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

- (1) DOMESTIC WATERFOWL. Non-native ducks, geese, and swans, ~~and not~~ retained in agricultural operations.
- (2) FEED OR FEEDING. The act of or furnishing of food or other sustenance.
- (3) MIGRATORY WATERFOWL. Migration occurs, and waterfowl is considered to be migratory, when large portions of a bird species make regular annual movements between two or more places. Often, this migration occurs due to annual temperature changes, s which affect food resources and breeding opportunities.
- (4) NON-MIGRATORY WATERFOWL. Waterfowl that may fly large distances within a day, but return to a particular area by night. Such species can spend their entire lives in one area.
- (5) RESIDENT CANADA GEESE. Canada Geese that nest within the conterminous United States and/or Canada Geese, or domestic waterfowl on any public or private property within the boundaries of the City. Exceptions to this will only be granted through state and/or federal permitting processes.
- (6) FEEDING OR MAKING FOOD AVAILABLE. Feeding or making food available for consumption shall include the act of placing or permitting to be placed on the ground, or within five feet of the ground, any device or any fruits, grains, minerals, plants, salt licks, vegetables, seeds, nuts, hay, or any other edible materials that may reasonably be expected to result in consumption by migratory waterfowl or deer, unless such items are screened or otherwise protected from migratory waterfowl or deer consumption.
  - a) The presumption that the placement of any fruits, grains, minerals, plants, salt licks, vegetables, seeds, nuts, hay, or any other edible materials is for consumption by migratory waterfowl or deer shall not apply to the following:
    1. Naturally growing materials, including but not limited to fruit, grain, nuts, seeds, hay, and vegetables.
    2. Planted materials growing in gardens and lawns, as ornamental plants, or shrubs, standing crops.
    3. Residue from lawns, gardens, \_\_\_\_\_ and \_\_\_\_\_ other \_\_\_\_\_ vegetable \_\_\_\_\_ materials maintained as a compost or mulch pile.
    4. Unmodified, commercially purchased bird or squirrel feeders or their equivalent.

(f) Violations.

- (1) Any person who violates subsection (a)(1) or (b)(1) of this section is guilty of a minor misdemeanor for the first offense. For the second and subsequent violations of subsection (a)(1) or (b)(1), the violator shall be deemed guilty of a misdemeanor of the fourth degree.
- (2) Any person who violates subsection (a)(2), (a)(3), or (b)(2), of this section is guilty of a minor misdemeanor.
- (3) Each day that a violation continues shall be deemed a separate offense.
- (4) It shall not be an element of the offense, and the prosecution shall be required to prove, that any food was actually consumed by a migratory waterfowl or deer.
- (5) In addition to filing criminal charges, the City may initiate a civil action in an appropriate court for injunctive and other relief for a violation of this section.

SECTION 2: This Ordinance shall go into full force and effect immediately upon its passage and approval by the Mayor.

PASSED this \_\_\_\_ day of \_\_\_\_\_, 2026.

ATTEST:

ORDINANCE NO. 049-2026

ORDINANCE NO. 00-2026

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

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

APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
Mayor

Requested by: Councilwoman Lori Elmore  
Prepared by: Bradley S. Nicodemus, City Attorney  
Approved as to form: Bradley S. Nicodemus, City Attorney, bsn 05/21/2026

**ORDINANCE NO. 050-2026**

AMENDING SECTION 1111.10 OF THE PLANNING AND ZONING CODE TO PROMOTE THE SAFETY OF DRIVE-THRU FACILITIES BY REQUIRING BY-PASS LANES AND EMERGENCY VEHICLE EGRESS IN THE CITY OF WHITEHALL; AND DECLARING AN EMERGENCY.

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WHEREAS, the City of Whitehall seeks to provide clear standards for the development and regulation of drive-thru facilities; AND

WHEREAS, the City of Whitehall Zoning Code acts to promote the health and safety of Whitehall residents; AND

WHEREAS, the City of Whitehall seeks to provide standards supporting the function of emergency medical services and traffic flow; AND

WHEREAS, Megan Keleman, a resident of Stow, Ohio, was killed in a murder-suicide involving being trapped in a drive-thru facility due to a single-lane, curbed drive-thru configuration; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WHITEHALL, OHIO:

SECTION 1: Section 1111.10 of the Codified Ordinances shall hereby be amended to read as the following.

1111.10 DRIVE-THRU STANDARDS.

(a) APPLICABILITY This ordinance shall apply to all newly constructed drive-through facilities and drive-through facilities undergoing structural alteration or site redevelopment requiring a zoning permit.

(a~~b~~) Drive-throughs are permitted only within specific zoning districts as specified in Article 1108 - Comprehensive Use Table.

(b~~c~~) All queuing vehicles shall be located on the lot on which the drive-through services are being provided and shall not interfere with the movement of vehicles or pedestrians on public rights-of-way.

(c~~d~~) All establishments with drive-throughs shall provide a minimum 10-foot by-pass lane whereby vehicles may exit the lot at any point without proceeding through the drive-through lane.

(1) Parking circulation area may contribute toward meeting this requirement, provided it is located adjacent to the drive-through lane.

(2) A by-pass lane shall include clear-visible signage to alert vehicle operators to the presence and direction of the by-pass lane.

(3) A by-pass lane shall provide adequate clearance for public safety vehicles.

(4) A by-pass lane shall be clear and unobstructed by curbs or barriers.

(d~~e~~) Menu boards may not flash or have any visible bulbs. All menu boards ~~must~~ shall be oriented toward the drive-through aisle that they are serving.

(e~~f~~) Drive-through speakers shall not be audible from adjacent properties. Drive-through speakers shall not emit outdoor music.

SECTION 2: That this Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public health, peace, safety, and welfare, and for further reason that emergency vehicle egress is necessary for the policing and emergency medical services of the City of Whitehall; WHEREFORE, this Ordinance shall go into full force and effect immediately upon its passage and approval by the Mayor.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

ATTEST:

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

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

APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
Mayor

Requested by: Amy Harcar, City Councilperson  
Prepared by: Jackie Russell, Economic Development Director & Curtis Nutter, Intern  
Approved as to form: Kylie Keitch, Asst. City Attorney kk 5/26/2026