



AGENDA
ATHENS CITY COUNCIL
MONDAY, AUGUST 18, 2025 AT 7:00 PM

e-mail: dwalker@ci.athens.oh.us
Streaming is available at www.ci.athens.oh.us/video

- 1. Establish Quorum**
- 2. Disposition of Minutes:**
 - Regular Session of City Council held August 4, 2025
- 3. Communications**
- 4. Reports and Communications from Other Elected Officials**
- 5. Ordinances for Second Reading:**

0-73-25

AN ORDINANCE AMENDING ORDINANCE 63-25 THAT AUTHORIZED CONSTRUCTION OF THE NEW FIRE HEADQUARTERS, PROJECT #346.

Introduced by Council Member McCarey

0-74-25

AN ORDINANCE AMENDING THE 2025 APPROPRIATION ORDINANCE 115-24, AND AMENDING ORDINANCE 15-22 TO INCREASE THE AUTHORIZED EXPENDITURE FOR A NEW RESTROOM FACILITY AT THE WEST STATE PARK, PROJECT #349.

Introduced by Council McCarey

0-75-25

AN ORDINANCE AMENDING ORDINANCE 23-24; REALLOCATING REVENUES FROM THE CITY INCOME TAX; AND DECLARING AN EMERGENCY.

Introduced by the Finance & Personnel Committee

0-76-25

AN ORDINANCE AMENDING THE 2025 APPROPRIATION ORDINANCE; AND AUTHORIZING THE AUDITOR TO MAKE AN INTERFUND TRANSFER.

Introduced by Council Member Risner

0-78-25

AN ORDINANCE AMENDING THE 2025 APPROPRIATION ORDINANCE AND

ORDINANCE 47-24; AUTHORIZING THE LOCAL SHARE OF THE UNITED STATES ARMY CORPS OF ENGINEERS HOCKING RIVER STUDY.

Introduced by Council Member Swank

6. Ordinances for First Reading:

0-80-25

AN ORDINANCE DECLARING PROPERTIES LOCATED AT 25 CENTRAL AVENUE AND 458 RICHLAND AVENUE NO LONGER NEEDED FOR A MUNICIPAL PURPOSE; AND AUTHORIZING THE MAYOR TO SELL SAID PROPERTIES TO ANOTHER POLITICAL SUBDIVISION.

Introduced by Council Member Risner

0-81-25

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO SUBMIT AN APPLICATION AND ENTER INTO A WATER POLLUTION CONTROL LOAN FUND (WPCLF) AGREEMENT ON BEHALF OF THE CITY OF ATHENS, OHIO FOR SUPPLEMENTAL DESIGN AND/OR CONSTRUCTION OF WASTEWATER FACILITIES; DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN; AND DECLARING AN EMERGENCY.

Introduced by Council Member Risner

0-82-25

AN ORDINANCE AMENDING CERTAIN SECTIONS OF THE ATHENS CITY CODE TITLE 9, GENERAL REGULATIONS, CHAPTER 9.10, CUTTING WEEDS, SECTION 9.01.05, COSTS.

Introduced by Council Member McCarey

0-83-25

AN ORDINANCE AMENDING TITLE 9, GENERAL REGULATIONS, CHAPTER 9.01, ANIMALS, SECTION 9.01.01(E), ANIMALS AT LARGE.

Introduced by Council Member McCarey

0-84-25

AN ORDINANCE AMENDING ATHENS CITY CODE TITLE 7, TRAFFIC CODE, CHAPTER 7.05, PARKING REGULATIONS.

Introduced by Council Member Spjeldnes

0-85-25

AN ORDINANCE AMENDING CERTAIN SECTIONS OF THE ATHENS CITY CODE TITLE 9, GENERAL REGULATIONS, CHAPTER 9.12, STREETS AND SIDEWALKS, SECTION 9.12.18, MATERIALS ON STREET OR SIDEWALK.

Introduced by Council Member Spjeldnes

0-86-25

AN ORDINANCE AMENDING ATHENS CITY CODE TITLE 1, GENERAL PROVISIONS, CHAPTER 1.03, CODE FEES ESTABLISHED.

Introduced by All Members of Council

0-87-25

AN ORDINANCE AMENDING CERTAIN SECTIONS OF THE ATHENS CITY CODE TO REMOVE GENDERED LANGUAGE AND REPLACE WITH GENDER NEUTRAL LANGUAGE.

Introduced by All Members of Council

0-88-25

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A PARTICIPATION AGREEMENT IN THE NEW NATIONAL OPIOIDS PURDUE DIRECT SETTLEMENT, AND ACKNOWLEDGING THAT ALLOCATION AND DISTRIBUTION OF POTENTIAL SETTLEMENT FUNDS WILL BE PURSUANT TO THE GOVERNMENTAL ENTITY AND SHAREHOLDER DIRECT SETTLEMENT AGREEMENT (GESA) AVAILABLE AT [HTTPS://NATIONALOPIOIDSETTLEMENT.COM/PURDUE-SACKLERS-SETTLEMENTS/](https://nationalopioidsettlement.com/purdue-sacklers-settlements/); AND DECLARING AN EMERGENCY.

Introduced by All Members of Council

7. Announcements & Other Business:

- Motion to Rescind a hearing request for 700 East State Street
- Motion to Accept the July 2025 Financial Reports

8. Opportunity for Citizens to Speak on Legislative Items and City Services Not Covered on the Agenda

9. Adjournment

Sam Crowl
President of Council

The City of Athens supports the Americans with Disabilities Act. Requests for reasonable accommodation may be made with the ADA Coordinator in the City Building or by calling 592-3367.

0-73-25

Introduced by Micah McCarey, Chair
City & Safety Services Committee

AN ORDINANCE AMENDING ORDINANCE 63-25 THAT AUTHORIZED
CONSTRUCTION OF THE NEW FIRE HEADQUARTERS, PROJECT #346.

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

SECTION I: Sections I, II, III, and IV of Ordinance 63-25 are hereby amended
to read as follows:

(Section I): The 2025 Appropriation Ordinance is hereby amended by appropriating
from the unappropriated balance the following sums:

~~Three Hundred Fifty Thousand Dollars (\$350,000.00)~~ **Four Hundred Thousand Seven
Hundred Seventy and 19/100 Dollars (\$400,770.19)** to Safety Services Fund, 206,
T.C. 500; and

~~Thirty Thousand Dollars (\$30,000.00) to Capital Improvements Fund, 580, T.C. 600,~~
and increasing the total appropriations by said amounts.

(Section II): The 2025 Appropriation Ordinance 115-24 is further amended by
decreasing General Fund, Fire, 101.208, T.C. 200, supplies and services, by Twenty-
Seven Thousand Dollars (\$27,000.00) and increasing General Fund, Fire, 101.208,
T.C. 600, for transfer, by the same amount, and decreasing General Fund 101.120,
Other Administrative, T.C. 200, supplies and services, by Twenty-Five Thousand
Dollars (\$25,000.00), and increasing General Fund 101.120, Other Administrative
Services, T.C. 600, for transfer, by the same amount, **decreasing Capital
Improvements Fund, 580.580, T.C. 500, by Four Hundred Seventy-Nine Thousand
Two Hundred Twenty-Nine and 81/100 Dollars (\$479,229.81), and increasing Capital
Improvements Fund, 580.580, T.C. 600, for transfer, by the same amount,** and
increasing and decreasing the total appropriations by said amounts.

(Section III): The Auditor is hereby authorized to make the following interfund
transfers:

FROM	TO	AMOUNT
General Fund, 101.208	Safety Services Fund, 206	\$ 27,000
General Fund, 101.120	Safety Services Fund, 206	\$ 25,000
Capital Improvs.Fund, 580	Safety Services Fund, 206	\$530,000 \$479,229.81

(Section IV): Section III of Ordinance 145-23, authorized expenditure, is hereby
amended to read as follows:

(Section III): The Service-Safety Director is hereby authorized to expend up to ~~Fourteen Million Three Hundred Fifty-Two Thousand Dollars (\$14,352,000.00)~~ **Fourteen Million Five Hundred Seventy-Two Thousand Dollars (\$14,572,000.00)** as follows:

~~Three Million Six Hundred Seventy~~ **Forty** Thousand Dollars (~~\$3,670,000.00~~) (~~\$640,000.00~~) from General Fund, Fire, 101.208, T.C. 500, that includes (~~\$70,000.00~~) (~~\$40,000.00~~) authorized by Ordinance 18-22, for planning/preliminary engineering; and (\$600,000.00), authorized by Ordinance 84-22, for design and construction management services;

~~Nine Million Dollars (\$9,000,000.00)~~ **Thirteen Million Nine Hundred Thirty-Two Thousand (\$13,932,000.00)** from Safety Services Fund, Fire, 206.208, T.C. 500, that includes (\$600,000.00) for land purchase and site preparation, authorized by Ordinance 121-22; and

~~Seven Hundred Fifty Thousand Dollars (\$750,000.00) from ARPA Fund, 286, T.C. 500, for said Project #346.~~

SECTION II: This Ordinance shall be in full force and effect at the earliest moment permitted by law upon its passage and approval by the Mayor.

President of Council

ATTEST:

APPROVED:

Clerk of Council

Mayor

0-74-25

Introduced by Micah McCarey, Chair
City & Safety Services Committee

AN ORDINANCE AMENDING THE 2025 APPROPRIATION ORDINANCE 115-24, AND AMENDING ORDINANCE 15-22 TO INCREASE THE AUTHORIZED EXPENDITURE FOR A NEW RESTROOM FACILITY AT THE WEST STATE PARK, PROJECT #349.

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

SECTION I: The 2025 Appropriation Ordinance 115-24 is hereby amended by appropriating from the unappropriated balance the sum of Three Hundred Twenty-Five Thousand Dollars (\$325,000.00) to APR Income Tax Fund, 273, T.C. 500, and increasing the total appropriations by said amount.

SECTION II: Section III of Ordinance 15-22 is hereby amended to read as follows:

(Section III): The Service-Safety Director is further authorized to expend up to ~~Two Hundred Fifty Thousand Dollars (\$250,000.00)~~ **Three Hundred Twenty-Five Thousand Dollars (\$325,000.00)** from APR Income Tax Fund, 273, T.C. 500, for said Project #349.

SECTION III: This Ordinance shall be in full force and effect upon its passage and approval by the Mayor.

President of Council

ATTEST:

APPROVED:

Clerk of Council

Mayor

0-75-25

Introduced by the Finance & Personnel Committee

AN ORDINANCE AMENDING ORDINANCE 23-24; REALLOCATING REVENUES FROM THE CITY INCOME TAX; AND DECLARING AN EMERGENCY.

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

SECTION I: Effective August 1, 2025, Section I of Ordinance 23-24 is hereby amended to read as follows:

Section I: That revenues from the city income tax, after deduction of 5.13% for the Street Rehabilitation Fund, 572, and 5.13% for the Arts, Parks & Recreation Debt Fund, 450, and 2.56% for payment of expenses associated with the Recreation/Community Facility Fund, 271, and 5.13% for the fire Station Debt Fund, 430, as required under tax levies, shall be allocated directly to funds as follows:

- (A) (72.5%) to General Fund, 101
- (B) ~~(14.5%)~~ (15.5%) to Street Fund, 220
- (C) ~~(8%)~~ (7%) to Recreation Fund, 270
- (D) (2%) to Capital Improvements Fund, 580
- (E) (1%) to Transportation Assistance Fund, 214
- (F) (2%) to Medical Fund, 866

SECTION II: This Ordinance shall be an emergency measure necessary for the preservation of the health, safety and welfare of the residents of the City of Athens in order to maintain fiscal integrity, and that it shall be in full force and effect upon its passage and approval by the Mayor.

President of Council

ATTEST:

APPROVED:

Clerk of Council

Mayor

0-76-25

Introduced by Jeff Risner, Chair
Finance & Personnel Committee

AN ORDINANCE AMENDING THE 2025 APPROPRIATION ORDINANCE 115-24.

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

SECTION I: The 2025 Appropriation Ordinance 115-24 is hereby amended by appropriating from the unappropriated balance the sum of Five Hundred Dollars (\$500.00) to General Fund, Parking Enforcement, 101.718, T.C. 600, for refunds, and increasing the total appropriations by said amount.

SECTION II: This Ordinance shall be in full force and effect at the earliest moment permitted by law upon its passage and approval by the Mayor.

President of Council

ATTEST:

APPROVED:

Clerk of Council

Mayor

0-78-25

Introduced by Alan Swank, Chair
Planning & Development Committee

AN ORDINANCE AMENDING THE 2025 APPROPRIATION ORDINANCE AND
ORDINANCE 47-24; AUTHORIZING THE LOCAL SHARE OF THE UNITED STATES
ARMY CORPS OF ENGINEERS HOCKING RIVER STUDY.

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

SECTION I: Section II of Ordinance 47-24 is hereby amended to read as
follows:

(Section I): The Service Safety Director is hereby authorized to expend up to
~~Three Hundred Thousand Dollars (\$300,000.00)~~ **Three Hundred Eighty-Six Thousand
Seven Hundred Fifty-Three Dollars (\$386,753.00)** from Storm Water Fund, 755.635,
T.C. 500, for said local share.

SECTION II: This Ordinance shall be in effect and full force upon its passage
and approval by the Mayor.

President of Council

ATTEST:

APPROVED:

Clerk of Council

Mayor

0-80-25

Introduced by Jeff Risner, Chair
Finance & Personnel Committee

AN ORDINANCE DECLARING PROPERTIES LOCATED AT 25 CENTRAL AVENUE AND 458 RICHLAND AVENUE NO LONGER NEEDED FOR A MUNICIPAL PURPOSE; AND AUTHORIZING THE MAYOR TO SELL SAID PROPERTIES TO ANOTHER POLITICAL SUBDIVISION.

WHEREAS, said properties were purchased initially to create affordable housing opportunities; and

WHEREAS, the City has historically allowed the Athens Metropolitan Housing Authority to manage the properties for that purpose; and

WHEREAS, the City has determined the properties would better meet the original intent if transferred to a different political subdivision;

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

SECTION I: Athens City Council hereby declares the properties located at 25 Central Avenue, Parcel #'s A028020005000 and A028020005100, and 458 Richland Avenue, Parcel # A029090003900, no longer needed for a municipal purpose, copies of the General Warranty Deeds are attached hereto and incorporated herein by reference.

SECTION II: The Mayor is hereby authorized to sell said properties at 25 Central Avenue and 458 Richland Avenue to the Athens Metropolitan Housing Authority, another political subdivision, for the sum of Two Hundred Eighty-Two Thousand Five Hundred Twenty Dollars (\$282,520.00).

SECTION III: The following deed restriction shall be included as part of the sale:

1. Should Athens Metropolitan Housing Authority wish to sell the property, the City of Athens shall have the right of first refusal.

SECTION IV: The City Auditor is hereby directed to receipt the proceeds from the sale of the properties into CDBG Fund, 248, then appropriated into 248, T.C. 600, and transferred into the ACIC Fund, 906, upon completion of the sale.

SECTION V: This Ordinance shall be in full force and effect upon its passage and approval by the Mayor.

President of Council

ATTEST:

APPROVED:

Clerk of Council

Mayor

GENERAL WARRANTY DEED

(O.R.C. §5302.05 and §5302.06)

THE CITY OF ATHENS, a municipal corporation, for valuable consideration paid, grants with general warranty covenants to the **ATHENS METROPOLITAN HOUSING AUTHORITY**, a political subdivision, whose tax mailing address is 10 Hope Drive, Athens, Ohio 45701, the following real property:

Situated in the City of Athens in the County of Athens and State of Ohio, to-wit:

That part of the Lot Numbered Four Hundred and forty-four in Camp Wool Addition to said City which is contained with the following described boundaries, viz: Beginning at the Southeast corner of said Lot; thence North on the East line of said lot Thirty three feet; thence West parallel with the South line Eighty feet; thence South parallel with the East line thirty three feet; thence East on the South line Eighty feet to the place of beginning.

Also a right of way three feet wide and eighty feet long adjoining on the north of the land herein conveyed. Such strip of land to be used as a walk for ingress and egress in common by the grantor and the grantee their heirs and assigns.

Also the following described real estate situate in the Township of Athens, in the City of Athens, County of Athens and State of Ohio, to wit: Beginning at an iron pin at the North East corner of Inlot No. 443 in Camp Wool Addition to the said City of Athens; thence south 25 feet to an iron pin; thence West 80 feet to an iron pin; thence North 25 feet to an iron pin; thence East 80 feet to the place of beginning.

Being the same premises conveyed by Ira E. Nichols, et ux. to Joseph W. McBride and Opal L. McBride by deed dated the 21st day of February, 1945, and recorded in Volume 185, Page 97, Record of Deed of Athens County, Ohio.

Prior Instrument References: OR Book 200, Page 670, Instrument No. 9500003652; Official Records of Athens County

**Parcel ID Nos. A02-80200050-00
A02-80200051-00**

Commonly known as: 25 Central Ave., Athens, Ohio 45701

This conveyance is being made subject to any and all legal easements, rights of way, zoning ordinances, leases of record, and any other restrictions and conditions of record, if any.

The attorney preparing this instrument makes no warranties as to title to the above-described property and the attorney does not certify the accuracy of the legal description herein.

Executed this ____ day of _____, 2025.

THE CITY OF ATHENS, OHIO

By: Steve Patterson, Mayor

STATE OF OHIO :
: SS
COUNTY OF ATHENS :

The foregoing instrument was acknowledged before me this ____ day of _____ 2025 by **STEVE PATTERSON**, the Mayor of **THE CITY OF ATHENS, OHIO**. He personally appeared before me and is known to me. He acknowledged that he executed the same for the purposes expressed herein. This is an acknowledgement clause. No oath or affirmation was administered to the signer with regard to this notarial act.

Notary Public
Print name: _____
My commission expires: _____

***This instrument is two pages in length. It was prepared by:
Jessica Branner Hittle (0090497), Asst. Law Director, City of Athens, 8 E. Washington St.,
Athens, Ohio 45701***

GENERAL WARRANTY DEED

(O.R.C. §5302.05 and §5302.06)

THE CITY OF ATHENS, a municipal corporation, for valuable consideration paid, grants with general warranty covenants to **ATHENS METROPOLITAN HOUSING AUTHORITY**, a political subdivision, whose tax mailing address is 10 Hope Drive, Athens, Ohio 45701, the following real property:

Situated in the Township of Athens, now City of Athens, in the County of Athens, and State of Ohio, to-wit:

Inlot Numbered Thirteen (13) in Stanley Heights Subdivision of a portion of Farm or Lease Lot No. 40, Section No. 8, Town No. 9, Range No. 14, Ohio University Leasehold Lands as the same are delineated on the Plat thereof, recorded in Plat Book 5, Page 61, of Records of Plats of Athens County, Ohio.

Being a part of the same premises conveyed by Warranty Deed from Nora Z. Beverage and Charles B. Beverage, her husband, dated September 8, 1945 and recorded in Volume 186, Page 577 of the Record of Deed of Athens County, Ohio.

Prior Instrument References: OR Book 324, Page 2523, Instrument No. 200200001679; Official Records of Athens County

Parcel ID No. A029090003900

Commonly known as: 458 Richland Ave., Athens, Ohio 45701

This conveyance is being made subject to any and all legal easements, rights of way, zoning ordinances, leases of record, and any other restrictions and conditions of record, if any.

The attorney preparing this instrument makes no warranties as to title to the above-described property and the attorney does not certify the accuracy of the legal description herein.

Executed this ____ day of _____, 2025.

THE CITY OF ATHENS, OHIO

By: Steve Patterson, Mayor

STATE OF OHIO :
: SS
COUNTY OF ATHENS :

The foregoing instrument was acknowledged before me this ____ day of _____ 2025 by **STEVE PATTERSON**, the Mayor of **THE CITY OF ATHENS, OHIO**. He personally appeared before me and is known to me. He acknowledged that he executed the same for the purposes expressed herein. This is an acknowledgement clause. No oath or affirmation was administered to the signer with regard to this notarial act.

Notary Public
Print name: _____
My commission expires: _____

***This instrument is two pages in length. It was prepared by:
Jessica Branner Hittle (0090497), Asst. Law Director, City of Athens, 8 E. Washington St.,
Athens, Ohio 45701***

0-81-25

Introduced by Jeff Risner, Chair
Finance & Personnel Committee

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO SUBMIT AN APPLICATION AND ENTER INTO A WATER POLLUTION CONTROL LOAN FUND (WPCLF) AGREEMENT ON BEHALF OF THE CITY OF ATHENS, OHIO FOR SUPPLEMENTAL DESIGN AND/OR CONSTRUCTION OF WASTEWATER FACILITIES; DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Athens intends to apply for Water Pollution Control Loan Funds to complete critical improvements to the City infrastructure that would allow for future growth; and

WHEREAS, this updates the authorization provided by Ordinance 144-19, adopted December 16, 2019, and Ordinance 09-24, adopted January 16, 2024, for Project #330; and

WHEREAS, the Ohio Water Pollution Control Loan Fund requires the Legislative Authority to pass legislation for application of a supplemental loan and execution of an agreement, as well as designating a dedicated repayment source;

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

SECTION I: The Service-Safety Director is hereby authorized to submit an application and enter into a Water Pollution Control Loan Fund Agreement for supplemental design, and/or construction of Wastewater Facilities (Bikeway Force Main), through the Ohio Environmental Protection Agency (EPA) and, once approved, administered through the Ohio Water Development Authority (OWDA), to complete critical improvements to City infrastructure that would allow for future growth (Project #330).

SECTION II: The dedicated source of the loan repayment will be the Sewer Fund, derived from sewer fees.

SECTION III: This Ordinance shall be an emergency measure necessary for the preservation of the health, welfare and safety of the residents of the City of Athens, Ohio, in order to meet an August timeline, and it shall be in full force and effect upon its passage and approval by the Mayor.

President of Council

ATTEST:

APPROVED:

Clerk of Council

Mayor

0-82-25

Introduced by Micah McCarey, Chair
City and Safety Services Committee

AN ORDINANCE AMENDING CERTAIN SECTIONS OF THE ATHENS CITY CODE
TITLE 9, GENERAL REGULATIONS, CHAPTER 9.10, CUTTING WEEDS, SECTION
9.01.05, COSTS.

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

SECTION I: Athens City Code, Title 9, General Regulations, Chapter 9.10,
Cutting Weeds, Section 9.10.05, Costs, is hereby amended to read as follows:

The code enforcement office shall keep accurate record of the cost of such
cutting and shall immediately cause to be sent to the proper person as required by
Section 731.53 of the Ohio Revised Code a statement for such cost of each cutting be
immediately due and payable.

~~The minimum fee to be charged shall in no case be less than \$100.00 for the
first hour or portion thereof, and a maximum of \$50.00 for each additional hour or
portion thereof.~~ Fees shall be set by separate ordinance.

A second notice of payment due may be sent not later than the first day of
October each year for the total cost of each and every cutting not paid, which shall be
immediately due and payable.

All payments received shall be credited to the general fund, but no payments
shall be accepted after the certification to the county auditor as hereinafter provided.

SECTION II: This Ordinance shall be in effect and full force upon its passage
and approval by the Mayor.

President of Council

ATTEST:

APPROVED:

Clerk of Council

Mayor

0-83-25

Introduced by Micah McCarey, Chair
City and Safety Services Committee

AN ORDINANCE AMENDING TITLE 9, GENERAL REGULATIONS, CHAPTER 9.01, ANIMALS, SECTION 9.01.01(E), ANIMALS AT LARGE.

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

SECTION I: Athens City Code, Title 9, General Regulations, Chapter 9.01, Animals, Section 9.01.01(E), Animals at Large, is hereby amended to read as follows:

(E) The service-safety director shall supply code enforcement officers, police officers, parking enforcement, and dog warden with citation tickets for the purpose of notice to persons violating Section 9.01.01(A), (B), or (D). The notice may be given by delivering such ticket to the violator or by affixing it to the dwelling unit housing said violator. The ~~penalty~~ **citation** for violating Section 9.01.01 (A), (B), or (D), shall be ~~\$20.00, for the first offense; \$30.00, for the second offense; and \$40.00, for the third offense, and subsequent offenses shall be charged as a minor misdemeanor.~~ **set by separate ordinance.** Whoever violates Section 9.01.01(C) shall, upon conviction, be guilty of a minor misdemeanor as defined in Section 2929.21 of the Ohio Revised Code.

SECTION II: This Ordinance shall be in effect and full force upon its passage and approval by the Mayor.

President of Council

ATTEST:

APPROVED:

Clerk of Council

Mayor

0-84-25

Introduced by Solveig Spjeldnes, Chair
Transportation Committee

**AN ORDINANCE AMENDING ATHENS CITY CODE TITLE 7, TRAFFIC CODE,
CHAPTER 7.05, PARKING REGULATIONS.**

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

SECTION I: Athens City Code, Title 7, Traffic Code, Chapter 7.05, Parking Regulations, Section 7.05.18, Construction of Meters and Signs for Pay Parking, is hereby amended to include the following:

(C) The fee for City contractor bags shall be established by separate ordinance.

SECTION II: Athens City Code, Title 7, Traffic Code, Chapter 7.05, Parking Regulations, Section 7.05.26, Regulation of City Parking Garage is hereby amended to read as follows:

(A) The service-safety director of the city, unless the council of the city shall direct otherwise, is empowered to regulate, control, police and maintain parking facilities as they may deem necessary for the proper control of the parking lot on Inlot No. 89 on Washington Street, the City of Athens, Ohio.

(B) The city parking garage rates are established by separate ordinance. Regulations are established as follows:

(1) Reserved space parking is restricted to levels lower B, upper B, and lower 1 only.

(2) ~~Except for elected officials, e~~ Employees of the city whose primary duty-work site is in City Hall, City Hall Annex, the city parking garage or a downtown office leased by the city may park on level 3 or above without charge in the city parking garage during official work time only. This privilege applies only to permanent employees and does not apply to vehicles operated by other than city employees.

(3) **Elected Officials of the City of Athens may park without charge in the City Parking Garage during meeting times and while on official business.** ~~It shall be unlawful to park a motor vehicle in a metered space for more than two consecutive hours on level 1 upper or any metered pay parking space, signed or bagged as two-hour limit within the parking garage. Said vehicle must be~~

~~moved from its present parking space to a parking space that is not marked,
signed or bagged as a two-hour limit.~~

(4) Members of City Boards and Commissions and their support staff whose primary meeting location is in City Hall after 5:00 p.m. may park without charge in the City Parking Garage during meeting times only.

(C) The provisions relating to city parking garage rates apply 24 hours per day, Monday through Saturday. Sundays, and holidays, and dates determined by the Service-Safety Director are exempt from charges.

SECTION II: This Ordinance shall be in effect and full force upon its passage and approval by the Mayor.

President of Council

ATTEST:

APPROVED:

Clerk of Council

Mayor

0-85-25

Introduced by Solveig Spjeldnes, Chair
Transportation Committee

AN ORDINANCE AMENDING CERTAIN SECTIONS OF THE ATHENS CITY CODE
TITLE 9, GENERAL REGULATIONS, CHAPTER 9.12, STREETS AND SIDEWALKS,
SECTION 9.12.18, MATERIALS ON STREET OR SIDEWALK.

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

SECTION I: Athens City Code, Title 9, General Regulations, Chapter 9.12, Streets and Sidewalks, Section 9.12.18, Materials on Street or Sidewalk, is hereby amended to add Sections (G) and (H):

(G) No dumpsters, moving pods, or construction trailers may be set on sidewalks or public streets without first being permitted by the Service-Safety Director or their designee. The fees for said permits shall be established by separate ordinance.

(H) No temporary closure of any street, alley, or sidewalk may be allowed unless permitted by the Service-Safety Director or their designee. Any temporary closure request shall include a pedestrian and vehicle maintenance of traffic plan and follow the Manual on Uniform Traffic Control Devices (MUTCD). Sidewalks closed for extended periods must be appropriately barricaded and signed. Special event street closures are not regulated by this section. The fee for the temporary closure of any street, alley, or sidewalk per day shall be established by separate ordinance.

SECTION II: This Ordinance shall be in effect and full force upon its passage and approval by the Mayor.

President of Council

ATTEST:

APPROVED:

Clerk of Council

Mayor

0-86-25

Introduced by All Members of Council

AN ORDINANCE AMENDING ATHENS CITY CODE TITLE 1, GENERAL PROVISIONS, CHAPTER 1.03, CODE FEES ESTABLISHED.

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

SECTION I: Effective January 1, 2026, certain sections of Athens City Code Title 1, General Provisions, Chapter 1.03, Code Fees Established, are hereby amended to read as attached hereto and incorporated herein by reference.

SECTION II: This Ordinance shall be in full force and effect at the earliest moment permitted by law upon its passage and approval by the Mayor.

President of Council

ATTEST:

APPROVED:

Clerk of Council

Mayor

Section [5.02.03](#)(D), Citation for garbage and rubbish violation.

~~\$50.00~~ **\$75.00** for first offense

~~\$75.00~~ **\$100.00** for second offense

~~\$100.00~~ **\$125.00** for third offense

~~\$125.00~~ **150.00** for fourth offense

~~\$150.00~~ **\$175.00** for fifth and subsequent offenses

Section [5.03.04](#), Water rates.

\$35.00 Transfer/turn on charge.

An additional ten percent shall be added to water bills not paid on or before the due date. Additional fees shall be charged for the following:

\$15.00 Red tag fee

\$40.00 Delinquency turn-on penalty

\$33.00 Non-sufficient funds charge

~~\$100.00~~ **\$50.00** After hours turn on

\$50.00 After hours turn off

Customers served outside the corporation limits of the City of Athens, Ohio, shall be charged the above rates, plus an additional 20 percent.

[Section 5.04.08](#), Sewer Rates.

Residential	\$6.18	\$6.24
Commercial	\$6.99	\$7.20
Industrial	\$7.71	\$7.94

The monthly base rate charge is as follows:

Base Rate per 1000 gallons (metered amounts as noted above)		Monthly Base Rate Charge	
0	- 15	\$ 32.28	\$ 32.60
16	- 50	\$ 55.81	\$ 57.48
51	- 100	\$ 143.40	\$ 147.70
101	- 200	\$ 231.15	\$ 238.08
201	- 500	\$ 444.38	\$ 457.71
501	- 1000	\$ 914.37	\$ 941.80
1001	- 2500	\$1,614.06	\$1,662.48
2501	- 5000	\$1,991.94	\$2,051.70
5000+		\$2,555.01	\$2,627.54

Section [5.04.09](#), Cost of sewer connection.

\$3,000.00 per equivalent EPA residential unit, plus labor and costs for installation of new sanitary sewer taps/connections, **or when a new development is unclear about the occupancy/use of the building and it is not possible to calculate equivalent single-family homes (ESFH), the administration may choose to apply the following schedule. As with the ESHF method, credit may be granted for existing uses.**

Domestic Water Tap Size (in)	Water capacity fee	Sewer Capacity Fee
5/8 or 3/4	\$ 1,300	\$ 3,000
1	\$ 2,200	\$ 5,000
1½	\$ 4,500	\$ 10,000
2	\$ 7,000	\$ 16,000
3	\$ 14,000	\$ 32,000
4	\$ 22,800	\$ 50,000
6	\$ 43,600	\$ 100,000
8	\$ 69,800	\$ 160,000
10	\$ 100,000	\$ 231,000
12	\$ 187,000	\$ 432,000

Note on fire suppression taps – if a building requires a larger tap due to fire suppression, the water capacity fee shall be one half of the rate shown above, and the sewer capacity fee shall be based upon the size of the domestic water tap needed if fire suppression were not being installed.

Section 7.05.18(C)

Contractor bags shall cost ~~\$8.00~~ \$10.00 per day.

~~Section 7.05.22, Pay parking, regulations and penalties.~~

Section [7.05.22\(A\)](#), City pay parking rates.

High intensity zones shall cost \$1.25 per hour (\$0.25 per 12 minutes);

Moderate intensity zones shall cost \$1.00 per hour (\$0.25 per 15 minutes);

Low intensity zones and all accessible parking spaces shall cost \$0.75 per hour (\$0.25 per 20 minutes);

Single space short term parking meters shall be not more than a 20-minute time limit and shall cost \$0.75 per 20 minutes (\$0.40 per 10 minutes)

Single space short term parking meters designated for meal delivery pick-up/drop-off shall be not more than a ten (10) minute time limit and shall have an annual permit fee paid by the adjacent requesting business(es) set by the Service-Safety Director based on estimated usage and existing rates and the parking zone in which the space is to be designated, paid to the Parking Enforcement Office. Prior to the issuance of a meal delivery pick-up/drop-off permit to a business owner, there must be written permission from the adjacent businesses.

~~Contractor bags shall cost \$8.00 Per day.~~

The following rates shall be in effect upon implementation of the new parking garage system and removal of the parking meters:

Section [7.05.26\(B\)](#), Rates and regulations.

0-1 hours - \$1.00 regardless of time

1-10 hours - \$1.00 per hour, or any portion thereof, up to 10 hours

10-24 hours – day rate of \$20.00 Resets to the hourly rate after 24 hours

\$175.00 per month for Parking Garage Reserved Spaces plus any transactional fees

\$150.00 per month for Parking Garage Non-Reserved Spaces plus any transactional fees per space

The service-safety director is hereby authorized to enter into written agreements to lease multiple non-reserved parking spaces, and offer an appropriate discount. However, the minimum cost per space may not be less than \$100.00 plus any transactional fees.

The Service-Safety Director may introduce a commerce validation discount program to promote businesses in the uptown area.

The following rates and regulations shall be repealed upon implementation of the new parking garage system and removal of the parking meters:

7.05.26. - Regulation of city parking garage.

(B), Rates and regulations

(1) \$1.00 per hour and \$0.25 cents per 15 minutes.

(2) Card system charges will be \$1.00 per hour and refunds will be in 20-minute increments.

(3) \$150.00 per month to reserve a space on levels Lower B, Upper B, and Lower 1.

(4) \$125.00 plus any transactional fees per space per month for up to 150 non-reserved spaces above Level 3.

Section 9.01.01(E), Animals at large.

\$75.00 for first offense.

\$100.00 for second offense.

\$125.00 for third offense.

150.00 for fourth offense.

\$175.00 for fifth and subsequent offenses.

Section 9.10.05, Costs.

Minimum fee = No less than \$100 for the first hour or portion thereof, and a maximum of \$50 for each additional hour or portion thereof.

Section 9.12.03, Opening permit required.

~~\$400~~ **\$125**, Opening permit into ROW

Section 9.12.18 (G), Temporary Dumpsters.

\$15 for temporary dumpster, moving pod, or construction trailer per week. Meter fees may apply if parked in a metered parking space.

Section 9.12.18 (H), Temporary Street/Alley/Sidewalk Closure.

\$25 for temporary closure of any street, alley, or sidewalk per day.

Section 11.10.04, Annual Fee.

~~\$100.00~~ **\$125.00** Contractor Registration

Section 13.07.07, Citation for littering violation.

~~\$50.00~~ **\$75.00** for first offense

~~\$75.00~~ **\$100.00** for second offense

~~\$100.00~~ **\$125.00** for third offense

~~\$125.00~~ **\$150.00** for fourth offense

~~\$150.00~~ **\$175.00** for fifth and subsequent offenses

Section 21.02.08, Fees.

~~\$100.00~~ **\$150.00** Minor lot split

Section, 23.03.13(M), Sign Application & Permit.

Sign permit – Permanent ~~\$400~~ **\$150**

Sign permit – Temporary ~~\$50~~ **\$75**

Section [23.06.02](#)(~~H~~ E), Fees.

\$80.00 Application fee

\$100.00 Use permit

~~\$150.00~~ **\$175** New construction permit, plus \$.10 per square foot of gross floor area

~~\$100.00~~ **\$125** Alteration permit, plus \$1.50 per thousand dollars of improvement or portion thereof

~~\$100.00~~ Accessory structure permit, **plus \$1.50 per thousand dollars of improvement**

Section [23.07.08\(D\)\(4\)](#), Application and standards for variances.

Zoning board variance request - ~~\$400~~ **\$125** plus advertising costs.

Section [25.03.04](#)(F), Floodplain **Development**.

~~\$400.00~~ **\$125.00** Land Permit Application

Section [29.02.03\(J\)](#), Inspections.

Failure to appear for a scheduled inspection - ~~\$25.00~~ **\$40.00** per unit

Section [29.12.02](#), Citation for Sanitary Violation.

~~\$50.00~~ **\$75.00** for first offense

~~\$75.00~~ **\$100.00** for second offense

~~\$100.00~~ **\$125.00** for third offense

~~\$125.00~~ **\$150.00** for fourth offense

~~\$150.00~~ **\$175.00** for fifth and subsequent offenses

Section 37.02.04, Native and pollinator — Friendly program.

Registration fee ~~\$25.00~~

Section 41.04 (B), Procedure for approval.

~~\$125.00~~ **\$150.00** Application fee

Section 45.07(B)(1), Historic preservation design review application.

~~\$70~~ **\$100** Application fee

Section 49.03.01, Special right-of-way permit.

~~\$50.00~~ **\$75.00** Application permit fee

Section 49.03.02, Certificate of registration application.

Registration certificate \$50.00

Micro-wireless cell tower permit ~~\$75.00~~ **\$100**

0-87-25

Introduced by All Members of Council

AN ORDINANCE AMENDING CERTAIN SECTIONS OF THE ATHENS CITY CODE TO REMOVE GENDERED LANGUAGE AND REPLACE WITH GENDER NEUTRAL LANGUAGE.

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

SECTION I: In all places where Athens City Code has gendered language, i.e. He/Him/She/Her, the following code sections are being amended to remove such language and replaced with They/Them/Their.

7.03.07.1(H)(2) - ...the person's initial appearance on the charge resulting from the arrest shall be held within five days of the person's arrest or the issuance of the citation to ~~him or her~~ **them**...

7.04.54(A) - ...less than 15 feet from the nearest rail of the railroad, and shall not proceed until ~~he~~ **they** can do so safely. The foregoing requirements shall apply when:

7.09.99(J) - ...guilty of a first offense for a violation of Section 7.04.01 of the Athens City Code upon a finding that ~~he~~ **they** operated a motor vehicle faster than 35 miles an hour in a business district of a municipal...

9.01.06 - Whenever the mayor or the board of health shall deem it necessary for the protection of the public, ~~he or it~~ **the mayor or board** shall issue an order prohibiting...

9.06.08(D)(2) - ...or campground by presenting identification that falsely indicates that ~~he is~~ **they** are 21 years of age or older for the purpose of violating this section.

11.08.03(A) - The trade name under which ~~he~~ **the person** intends to do business;

13.03.04(A) - No person with purpose to defraud or knowing that ~~he is~~ **they** are facilitating a fraud, shall do either of the following:

13.03.21(A) - No person, knowing ~~he has~~ **they** have no privilege to do so, and with purpose to defraud or knowing that they are facilitating a fraud...

15.01.02(U) – “Nonresident”: An individual living outside the city, or domiciled outside the city. A domicile is a principal residence that the taxpayer intends to use for an indefinite time, and to which whenever ~~he is~~ **they** are absent, ~~he~~ intends to return. A taxpayer has only one domicile even though ~~he~~ **they** may have more than one residence.

15.02.09(C)(2) - Once a taxpayer has filed under a substitute method, ~~he~~ **they** must continue to file until given permission to change by the administrator.

15.03.07 - The tax administrator, if ~~he~~ **they** deems it necessary in order to insure the payment of the tax imposed by this chapter...

15.03.08 - ...the vendor shall be personally liable for any amount collected which ~~he~~ **they** failed to remit.

17.03.07 - Any vendor who fails to file a return under this chapter shall, for each day ~~he~~ **they** so fails, forfeit and pay into the city treasury the sum of \$100.00.

17.03.08 - ...the vendor shall be personally liable for any amount collected which ~~he~~ **they** failed to remit.

SECTION II: This Ordinance shall be in effect and full force upon its passage and approval by the Mayor.

President of Council

ATTEST:

APPROVED:

Clerk of Council

Mayor

0-88-25

Introduced by All Council Members

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A PARTICIPATION AGREEMENT IN THE NEW NATIONAL OPIOIDS PURDUE DIRECT SETTLEMENT, AND ACKNOWLEDGING THAT ALLOCATION AND DISTRIBUTION OF POTENTIAL SETTLEMENT FUNDS WILL BE PURSUANT TO THE GOVERNMENTAL ENTITY AND SHAREHOLDER DIRECT SETTLEMENT AGREEMENT (GESA) AVAILABLE AT [HTTPS://NATIONALOPIOIDSETTLEMENT.COM/PURDUE-SACKLERS-SETTLEMENTS/](https://nationalopioidsettlement.com/purdue-sacklers-settlements/); AND DECLARING AN EMERGENCY.

WHEREAS, the City of Athens, Ohio (herein "Municipality") is a municipal entity formed and organized pursuant to the Constitution and laws of the State of Ohio; and

WHEREAS, the people of the State of Ohio and its communities have been harmed by misfeasance, nonfeasance and malfeasance committed by certain entities within the Opioid Pharmaceutical Supply Chain; and

WHEREAS, the State of Ohio, through its Governor and Attorney General, and its Local Governments share a common desire to abate and alleviate the impacts of that misfeasance, nonfeasance and malfeasance throughout the State of Ohio; and

WHEREAS, Council wishes to agree to the material terms of the proposed New National Opioids Settlement Agreement;

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

SECTION I: Athens City Council does hereby authorize the Mayor to execute a Participation Agreement in the New National Opioid Settlement with Purdue Direct Settlement, acknowledging allocation and distribution of potential settlement funds pursuant to the terms of the Governmental Entity and Shareholder Direct Settlement Agreement (GESA), a copy of the Subdivision Participation and Release Form is attached hereto and incorporated herein by reference.

SECTION II: It is found and determined that all formal actions of the Council relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

SECTION III: This Ordinance shall be an emergency measure, necessary for the preservation of the public peace, health, welfare and safety of the City of Athens, Ohio, in order to ensure prompt pursuit of funds to assist in abating the opioid epidemic throughout Ohio, and it shall be in full force and effect upon its passage and approval by the Mayor.

President of Council

ATTEST:

APPROVED:

Clerk of Council

Mayor

EXHIBIT K**Subdivision Participation and Release Form**

Governmental Entity: Athens city	State: OH
Authorized Signatory:	
Address 1:	
Address 2:	
City, State, Zip:	
Phone:	
Email:	

The governmental entity identified above (“*Governmental Entity*”), in order to obtain and in consideration for the benefits provided to the Governmental Entity pursuant to that certain Governmental Entity & Shareholder Direct Settlement Agreement accompanying this participation form (the “*Agreement*”)¹, and acting through the undersigned authorized official, hereby elects to participate in the Agreement, grant the releases set forth below, and agrees as follows.

1. The Governmental Entity is aware of and has reviewed the Agreement, and agrees that by executing this Participation and Release Form, the Governmental Entity elects to participate in the Agreement and become a Participating Subdivision as provided therein.
2. The Governmental Entity shall promptly after the Effective Date, and prior to the filing of the Consent Judgment, dismiss with prejudice any Shareholder Released Claims and Released Claims that it has filed. With respect to any Shareholder Released Claims and Released Claims pending in *In re National Prescription Opiate Litigation*, MDL No. 2804, the Governmental Entity authorizes the Plaintiffs’ Executive Committee to execute and file on behalf of the Governmental Entity a Stipulation of Dismissal with Prejudice substantially in the form found at <https://nationalopiodsettlement.com>.
3. The Governmental Entity agrees to the terms of the Agreement pertaining to Participating Subdivisions as defined therein.
4. By agreeing to the terms of the Agreement and becoming a Releasor, the Governmental Entity is entitled to the benefits provided therein, including, if applicable, monetary payments beginning following the Effective Date.
5. The Governmental Entity agrees to use any monies it receives through the Agreement solely for the purposes provided therein.
6. The Governmental Entity submits to the jurisdiction of the court in the Governmental Entity’s state where the Consent Judgment is filed for purposes limited to that court’s role as and to the extent provided in, and for resolving disputes to the extent provided in, the

¹ Capitalized terms used in this Exhibit K but not otherwise defined in this Exhibit K have the meanings given to them in the Agreement or, if not defined in the Agreement, the Master Settlement Agreement.



Agreement. The Governmental Entity likewise agrees to arbitrate before the National Arbitration Panel as provided in, and for resolving disputes to the extent otherwise provided in, the Agreement.

7. The Governmental Entity has the right to enforce the Agreement as provided therein.
8. The Governmental Entity, as a Participating Subdivision, hereby becomes a Releasor for all purposes in the Agreement, including without limitation all provisions of Article 10 (Release), and along with all departments, agencies, divisions, boards, commissions, districts, instrumentalities of any kind and attorneys, and any person in his or her official capacity whether elected or appointed to serve any of the foregoing and any agency, person, or other entity claiming by or through any of the foregoing, and any other entity identified in the definition of Subdivision Releasor, to the maximum extent of its authority, for good and valuable consideration, the adequacy of which is hereby confirmed, the Shareholder Released Parties and Released Parties are, as of the Effective Date, hereby released and forever discharged by the Governmental Entity and its Subdivision Releasors from: any and all Causes of Action, including, without limitation, any Estate Cause of Action and any claims that the Governmental Entity or its Subdivision Releasors would have presently or in the future been legally entitled to assert in its own right (whether individually or collectively), notwithstanding section 1542 of the California Civil Code or any law of any jurisdiction that is similar, comparable or equivalent thereto (which shall conclusively be deemed waived), whether existing or hereinafter arising, in each case, (A) directly or indirectly based on, arising out of, or in any way relating to or concerning, in whole or in part, (i) the Debtors, as such Entities existed prior to or after the Petition Date, and their Affiliates, (ii) the Estates, (iii) the Chapter 11 Cases, or (iv) Covered Conduct and (B) as to which any conduct, omission or liability of any Debtor or any Estate is the legal cause or is otherwise a legally relevant factor (each such release, as it pertains to the Shareholder Released Parties, the "Shareholder Released Claims", and as it pertains to the Released Parties other than the Shareholder Released Parties, the "Released Claims"). For the avoidance of doubt and without limiting the foregoing: the Shareholder Released Claims and Released Claims include any Cause of Action that has been or may be asserted against any Shareholder Released Party or Released Party by the Governmental Entity or its Subdivision Releasors (whether or not such party has brought such action or proceeding) in any federal, state, or local action or proceeding (whether judicial, arbitral, or administrative) (A) directly or indirectly based on, arising out of, or in any way relating to or concerning, in whole or in part, (i) the Debtors, as such Entities existed prior to or after the Petition Date, and their Affiliates, (ii) the Estates, (iii) the Chapter 11 Cases, or (iv) Covered Conduct and (B) as to which any conduct, omission or liability of any Debtor or any Estate is the legal cause or is otherwise a legally relevant factor.
9. As a Releasor, the Governmental Entity hereby absolutely, unconditionally, and irrevocably covenants not to bring, file, or claim, or to cause, assist or permit to be brought, filed, or claimed, or to otherwise seek to establish liability for any Shareholder Released Claims or Released Claims against any Shareholder Released Party or Released Party in any forum whatsoever, subject in all respects to Section 9.02 of the Master Settlement Agreement. The releases provided for herein (including the term "Shareholder Released



Claims” and “Released Claims”) are intended by the Governmental Entity and its Subdivision Releasors to be broad and shall be interpreted so as to give the Shareholder Released Parties and Released Parties the broadest possible release of any liability relating in any way to Shareholder Released Claims and Released Claims and extend to the full extent of the power of the Governmental Entity to release claims. The Agreement shall be a complete bar to any Shareholder Released Claim and Released Claims.

10. To the maximum extent of the Governmental Entity’s power, the Shareholder Released Parties and the Released Parties are, as of the Effective Date, hereby released and discharged from any and all Shareholder Released Claims and Released Claims of the Subdivision Releasors.
11. The Governmental Entity hereby takes on all rights and obligations of a Participating Subdivision as set forth in the Agreement.
12. In connection with the releases provided for in the Agreement, each Governmental Entity expressly waives, releases, and forever discharges any and all provisions, rights, and benefits conferred by any law of any state or territory of the United States or other jurisdiction, or principle of common law, which is similar, comparable, or equivalent to § 1542 of the California Civil Code, which reads:

General Release; extent. A general release does not extend to claims that the creditor or releasing party does not know or suspect to exist in his or her favor at the time of executing the release that, if known by him or her, would have materially affected his or her settlement with the debtor or released party.

A Releasor may hereafter discover facts other than or different from those which it knows, believes, or assumes to be true with respect to the Shareholder Released Claims or such other Claims released pursuant to this release, but each Governmental Entity hereby expressly waives and fully, finally, and forever settles, releases and discharges, upon the Effective Date, any and all Shareholder Released Claims or such other Claims released pursuant to this release that may exist as of such date but which Releasors do not know or suspect to exist, whether through ignorance, oversight, error, negligence or through no fault whatsoever, and which, if known, would materially affect the Governmental Entities’ decision to participate in the Agreement.

13. Nothing herein is intended to modify in any way the terms of the Agreement, to which Governmental Entity hereby agrees. To the extent any portion of this Participation and Release Form not relating to the release of, or bar against, liability is interpreted differently from the Agreement in any respect, the Agreement controls.
14. Notwithstanding anything to the contrary herein or in the Agreement, (x) nothing herein shall (A) release any Excluded Claims or (B) be construed to impair in any way the rights and obligations of any Person under the Agreement; and (y) the Releases set forth herein shall be subject to being deemed void to the extent set forth in Section 9.02 of the Master Settlement Agreement.



I have all necessary power and authorization to execute this Participation and Release Form on behalf of the Governmental Entity.

Signature: _____

Name: _____

Title: _____

Date: _____

