

**AN ORDINANCE AMENDING THE VILLAGE ZONING CODE
ORDINANCE 30-1974 WITH THE ADDITION OF
CHAPTER 154.00 ALTERNATIVE ENERGY SYSTEMS**

WHEREAS, the Planning Commission of the Village of Brewster has reviewed a proposed addition to the Village Zoning Code to regulate alternative energy systems such as those provided by solar, wind, and similar installations in residential and commercial areas of Brewster; and

WHEREAS, after completing their review and deliberations, the Planning Commission of the Village of Brewster recommends that it is in the best interest of the Village that Brewster Village Council enact Zoning provisions establishing the criteria for the placement of alternative energy systems in an attempt to minimize any safety, public welfare, or aesthetic concerns resulting from same; and

WHEREAS, Brewster Village Council desires to follow the Village Planning Commission recommendation and adopt an amendment to the Village Zoning Code to regulate alternative energy systems with the Village of Brewster.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF BREWSTER, THAT:

SECTION 1: Brewster Village Council shall amend the Village Zoning Code adopted by Ordinance 30-1974, which has been amended from time to time, by adopting Chapter 154 Alternative Energy Systems as provided and recommended by the Village Planning Commission. Chapter 154 Alternative Energy Systems is as follows:

Chapter 154.00: ALTERNATIVE ENERGY SYSTEMS

154.01 PURPOSE.

(A) In order to balance the need for clean, renewable energy resources and the necessity to protect the public health, safety and welfare of the community, the following regulations are necessary to ensure that alternative energy systems are appropriately designed and safely sited and installed.

(B) This chapter establishes the regulations and criteria which allow compatible alternative energy systems to be located within the various land use districts in association with a principle use or structure. In the event of a conflict between the development standards in this subchapter and the development standards in the applicable use district, the standards of this subchapter are to be used.

154.02 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ALTERNATIVE ENERGY SYSTEMS. Any structure or device used to convert, generate or harness alternative energy sources on site or for private use. No experimental, homebuilt, or prototype alternative energy system shall be allowed without certification of a professional engineer licensed by the State of Ohio.

COMMERCIAL ALTERNATIVE ENERGY SYSTEM. A system having a faceplate capacity of 500 kW AC or more, and shall conform to the Ohio Building Code, Ohio Residential Code and the National Electrical Code. Under no circumstance shall any alternative energy systems provide power to electrical power energy distribution systems (power grids) other than the Village Municipal Power System. No experimental, home-built, or prototype alternative energy system shall be allowed without certification by a professional engineer licensed by the State of Ohio. Any Commercial Alternative Energy System is a conditionally permitted use in all zoning districts

COMMERCIAL WIND ENERGY SYSTEM. A system having more than one wind turbine and primarily used for on-site or private use, and having a faceplate capacity of 100 kW or

more, and shall conform to the National Electrical Code. Under no circumstance shall wind energy systems provide power to electric power energy distribution systems (power grids) other than the Village Municipal Power System. No experimental, home-built, or prototype wind energy systems shall be allowed without certification by a professional engineer licensed by the State of Ohio. Any Commercial Wind Energy System is a conditionally permitted use in all zoning districts

GROUND MOUNTED SOLAR ENERGY SYSTEM. Any solar energy system in which a solar energy device is permanently affixed, or otherwise placed in any area other than the roof of a primary or accessory structure. Any solar energy system is a conditionally permitted use in all zoning districts

OUTDOOR FURNACE AND BOILER. Any device, appliance, or structure that is designed, intended and/or used to provide heat and/or hot water to any associated structure, and operates by burning wood or any other fuel.

OUTDOOR GENERATOR. Any outdoor device used for emergency backup power during utility outages, including energy storage systems.

RESIDENTIAL ALTERNATIVE ENERGY SYSTEM. A system having a faceplate capacity of 500 kW AC or less, and shall conform to the Ohio Building Code, Ohio Residential Code and the National Electrical Code. Under no circumstance shall any alternative energy systems provide power to electrical power energy distribution systems (power grids) other than the Village Municipal Power System. No experimental, home-built, or prototype alternative energy system shall be allowed without certification by a professional engineer licensed by the State of Ohio. In Residential Zoning Districts the capacity of the alternative energy system to be installed will be restricted to 120% or less of the average monthly usage of the metered electric of that property's last 12 months or 500kW AC, whichever is less.

ROOF MOUNTED SOLAR ENERGY SYSTEM. Any solar energy system in which a solar energy device is permanently affixed to the roof of a primary or accessory structure. Any Roof mounted solar Energy System is a conditionally permitted use in all zoning districts

SOLAR ENERGY DEVICE. Shall be defined as solar photovoltaic panel, solar photovoltaic collector, solar photovoltaic array, solar thermal panel or tubing or any similar device that relies on solar radiation as an energy source for the generation of electricity or transfer of stored heat for a principle or accessory structure.

TOTAL HEIGHT - WIND ENERGY SYSTEM. The distance measured from the natural ground elevation (not mounded) to the highest point that any part of the wind energy system can reach. Total height for roof mounted systems means the distance from the point of roof attachment to the highest point any part of the wind energy system can reach.

TOWER - WIND ENERGY SYSTEM. An elevating structure intended to raise the rotor, turbine and accessory equipment above either the ground surface or the top of a building.

WIND ENERGY SYSTEM. A wind energy system is a system designed to reduce the on-site consumption of municipal power, and having a faceplate power capacity of 100 kW AC or less, and shall conform to the National Electric Code. Under no circumstance shall noncommercial wind energy systems provide power to off-site buildings, structures, uses or other electric power energy distribution systems (power grids) other than the Village Municipal Power System. No experimental, home-built, or prototype wind energy systems shall be allowed without certification by a professional engineer licensed by the State of Ohio. A wind energy system includes any or all of the following components:

- (1) A turbine with propeller-style blades;
- (2) A vertical rotor;
- (3) Other means of capturing the energy in moving air;
- (4) A tower;

- (5) A mounting structure;
- (6) Associated electrical distribution circuitry;
- (7) A battery;
- (8) Other means of storing energy;
- (9) Other means of transmitting energy;
- (10) Mechanical control mechanism;
- (11) Electrical/electronic/computer control circuitry;
- (12) A foundation;
- (13) Enclosures.

Any Wind Energy System is a conditionally permitted use in all zoning districts

WIND TURBINE. A wind energy system that converts wind energy into electric energy by means of rotary motion driven by the passage of air through the wind energy system. Wind energy systems include those models designed to be mounted on rooftops of existing or new buildings, including residential applications.

WIND TURBINE ROTOR. That portion of a wind turbine that includes the blades or scoops, hub and shaft.

154.03 APPLICABILITY.

(A) This chapter applies to all alternative energy systems as defined herein that are proposed to be constructed or located within the village after the effective date of this ordinance.

(B) Any alternative energy system constructed or located prior to the effective date of this ordinance will not be required to meet the provisions of this chapter, provided that any physical modifications to such pre-existing alternative energy system that materially alters the size, type and number of any such alternative energy system shall be required to comply with provisions of this subchapter. Pre-existing alternative energy systems that are destroyed or damaged to the extent they can no further operate shall not be reconstructed except in conformity with this chapter.

154.04 PERMIT REQUIREMENTS.

(A) No alternative energy system shall be erected or installed in the village until a zoning certificate of use has been issued by the village, Village Administrator, a grid interconnection agreement or power contract has been signed by the Village Administrator, and a Building Permit has been issued by the Stark County Building Department.

(B) Written application for an alternative energy system shall be made to the village. The application shall include:

- (1) The address of the property and the name, address and telephone number of the owner and occupant of the property. The application will also include the name, address and telephone number of the licensed electrical contractor that will make all installations.
- (2) A site plan of the property showing the exact location of the proposed alternative energy system, all existing utility lines specifically indicating overhead lines and all other structures on the premises.
- (3) A description of the proposed system, including information regarding its construction, method of assembly and installation, to include a one- line drawing showing visible breaker, inverter, home service panel, bi-directional metering and utility connection.
- (4) Plans showing the specifications and elevations of the proposed system.
- (5) If the applicant is not the owner of the premises, the application shall include a statement by the owner giving the applicant written consent to install the system on the premises.

(C) No alternative energy system permit shall be issued, nor shall an alternative energy system be installed unless the following requirements are met:

- (1) No alternative energy system shall be connected to the Village Municipal Power System without properly executed grid interconnection agreement or power contract. Under no circumstances shall alternative energy systems provide power to off-site building(s), structures, uses or other power energy distribution systems (power grids) other than the Village Municipal Power System. All installations will be performed by a licensed Electrical contractor.
- (2) All electrical control panels, as well as control equipment, shall be labeled and secured to prevent unauthorized access. All installations will include an external disconnect to allow for the isolation of the alternative energy system from the Village Municipal Power System.
- (3) All alternative energy systems shall be designed to conform to all the requirements of the Ohio Building Code, Ohio Residential Code, the National Electrical Code and all other applicable regulations. All alternative energy systems proposed to be connected to the Village's Municipal Power System shall be net metered, and shall have grid failure disconnect systems and shall adhere to O.R.C. § 4928.67 and UL 1741, Standard for Utility-Interactive Applications.
- (4) No alternative energy systems shall be installed without the approval of the village, Village Administrator/Zoning Inspector.
- (5) Removal of an alternative energy system shall require notification to the Village, the Village Administrator and the Village Electric Superintendent.
- (6) Commercial alternative energy system applications shall include the identification of probable useful life of the alternative energy system, as well as a decommissioning plan for the alternative energy system.
- (7) Commercial energy storage system applications shall include the identification of probable useful life of the energy storage system, as well as a decommissioning plan for the energy storage system.
- (8) In alternative energy system applications residential districts that will be connected to a multi-family building the landlord will provide a signed agreement that states that installation will be for virtual net metering for all tenants.

(D) Fees.

- (1) The permitted use permit application shall be made in compliance with this section, and shall be considered as an accessory use/accessory building application incidental to the principal use which does not include any activity conducted as a business, except home occupation. The fee for such permit shall be the same as for other accessory use/accessory building applications.
- (2) The conditionally permitted use permit application shall be made in compliance with this section and Section 153.350 – 153.383 of Village Zoning Code which regulate conditionally permitted uses. The fee for such permit shall be the same as for other applications for conditionally permitted uses.

154.05 APPEALS AND VARIANCES.

Applications for variances from the regulations and performance and design standards of this subchapter and appeals of the decision of the village, Village Administrator/Zoning Inspector shall be filed for determination with the Board of Zoning Appeals pursuant to Section 153.410 – 153.440 of Village Zoning Code

154.06 SOLAR ENERGY SYSTEMS.

(A) *Permitted use.* Roof mounted solar energy systems adhering to the performance and design standards of this subchapter are permitted in all zoning districts.

(B) *Conditionally permitted.* Ground mounted solar energy systems having a combined faceplate capacity of less than 500 kW AC or less shall be conditionally permitted in all zoning districts and shall meet all accessory use/accessory building requirements of Supplementary Regulations - Section 301.4. Commercial solar energy systems having a combined faceplate capacity of 500 kW AC or more shall be a conditionally permitted use in I-1 and I-2 zoning districts and shall meet all accessory use/accessory building requirements of Supplementary Regulations - Section 153.019

(C) *Performance and design standards.*

- (1) *Location.* No portion of any roof mounted solar energy system may extend below the roof line.
- (2) *Height.* Roof mounted solar energy systems shall be either integrated into the roof layer or a separate flush mounted panel attached to the roof surface and shall not project vertically if installed on a pitched roof. The use of standard, low profile mounting hardware required to attach panels to a roof surface shall not be considered a projection. Panels or tubing installed on flat roofs may project vertically if not visible from any street.
- (3) *Appearance.*
 - (a) All roof mounted solar panels must have a non-reflective coating to minimize glare.
 - (b) Roof mounted installations must be uniform in appearance and color.
 - (c) All mounting brackets and related structural supports shall not extend more than three inches above the roof surface and shall be covered in a manner architecturally compatible with the building.
 - (d) All wires and other associated appurtenances related to a solar energy system shall be installed below the roof line, in a secure location.
 - (e) All solar energy systems shall have grid failure disconnection systems and shall adhere to O.R.C. § 4928.67 and UL 1741, Standard for Utility- Interactive Applications.
 - (f) All Ground Mounted Solar Energy System installations will be enclosed in fencing six foot in height in compliance with Supplementary Regulations - Section 153.019 (U) Fences, Walls, and Hedges

154.07 WIND ENERGY SYSTEMS

(A) **APPLICABILITY.**

(1) This chapter applies to all wind energy systems as defined herein that are proposed to be constructed or located within the village after the effective date of this subchapter.

(2) Any wind energy system constructed or located prior to the effective date of this subchapter will not be required to meet the provisions of this subchapter, provided that any physical modifications to such pre-existing wind energy system that materially alters the size, type and number of any such wind energy systems shall be required to comply with provisions of this subchapter. Pre-existing wind energy systems that are destroyed or damaged to the extent they can no further operate shall not be reconstructed except in conformity with this subchapter.

(B) **CONDITIONALLY PERMITTED.**

A wind energy system shall be considered a conditionally permitted use in all zoning districts. Commercial wind energy systems shall be considered a conditionally permitted use in the Heavy Industrial (I-2) District only.

(C) **PERMIT REQUIREMENTS.**

- 1) No wind energy system shall be constructed or located within the village unless a conditionally permitted use has been approved by the Planning Commission and a permit has been issued to the applicant by the Village Administrator. Application for a wind energy system shall be made on the same application as used for other zoning applications. No wind energy system shall be connected to the Village Municipal Power System without a properly executed power contract or interconnection agreement.
- 2) The conditionally permitted use permit application shall be made in compliance with this section and Sections 153.350 – 153.153.383 of the Village Zoning Code which regulate conditionally permitted uses. The fee for such permit shall be the same as for other applications for conditionally permitted uses.
- 3) Any physical modifications to an existing and permitted wind energy system that materially alters the size, type and number of such systems shall require a new permit be issued. Like-kind replacements shall not require a permit modification.
- 4) Commercial wind energy system applications shall include the identification of probable useful life of the wind energy system, as well as a decommissioning plan for the commercial wind energy system.
- 5) An applicant who proposes to construct or locate a wind energy system, as defined in this subchapter, on a roof of an existing or new structure shall be required to apply for a conditionally permitted use permit.

(D) WIND ENERGY ELECTRIC SYSTEM REQUIREMENTS.

- (1) *Generally.* The wind energy system, as defined, is permitted in all zoning districts. Commercial wind energy systems are permitted only in the Heavy Industry (I-2) District.
- (2) *Setback.* The setback for a wind energy system shall be determined based upon its total height. The minimum setback shall be 1.3 times the total height from the nearest property line, public right-of-way, utility corridor, and overhead public utilities, such as fiber optic, cable, telephone or electric lines. No wind energy systems shall be permitted in front yards.
- (3) *Design standards.*
 - a) *Tower design.* The design of the tower, if any, shall be a single enclosed pole, which is freestanding, without guy wires, or an open lattice tower. When either type of tower is employed, it shall have anti-climbing protection. A single enclosed pole shall have no climbing rungs for the first 15 feet from the foundation. A lattice tower shall have fencing or other material of sufficient height to prevent climbing of the tower.
 - b) *Minimum blade height.* The minimum height of the lowest extent of the turbine blade shall be 30 feet above the foundation of the tower or 30 feet above any structure or obstacle within 30 feet horizontally from any part of the arc of the turbine blades.
 - c) *Noise.* No wind energy system shall generate sounds exceeding 45 Dba as measured 100 feet from the tower or mounting base. Noise generated from these systems shall also comply with existing village noise ordinances.
 - d) *Visual appearance.* Wind energy systems shall be finished in a corrosion-resistant, non-obtrusive finish and color that is non-reflective.
 - e) No wind energy system shall be lighted, unless required by FAA. No flags, streamers, decorations or advertising signs of any kind or nature shall be permitted on any system. All systems shall have a clearly visible warning sign at the base of the system warning of “High Voltage”. All access doors to the wind energy system, if any, shall be locked to prevent entry by non-authorized personnel.
 - f) *Electrical interconnections.* All electrical interconnections and distribution electric lines shall be underground and comply with all applicable codes and requirements. Before any wind energy system may be installed, the owner shall first make application for interconnect to the Village Municipal Power System with the Village Administrator’s office, and also enter into a power interconnect agreement with the village. Both interconnect application and

interconnect agreements forms are available from the Village Administrator. Under no circumstance shall wind energy systems provide power to off-site buildings, structures, uses or other electric power energy distribution systems (power grids) other than the Village Municipal Power System.

- g) *Signal interference.* No wind energy system shall cause material interference with television or other communication signals received from abutting property owners. Once determined that the system is causing interference, the owner shall take steps to filter, reflect or block any source causing such interference. Failure to correct the cause for interference may cause the village to terminate wind energy system use service until such time the interference is corrected.
- h) *Controls and brakes.* All wind energy systems with external blades shall be equipped with a redundant braking system. This includes both aerodynamic over-speed controls (including pitch, tip and other similar systems) and mechanical brakes. Mechanical brakes shall be operated in a fail-safe mode. Stall regulations shall not be considered a sufficient braking system for over-speed protections.
- i) *Other requirements.* Wind energy systems proposed to be connected to the Village Municipal Power System shall be net metered, and all wind energy systems shall have grid failure disconnect systems and shall adhere to O.R.C. § 4928.67 and UL 1741, Standard for Utility- Interactive Applications.

(E) *Permit applications.* Applications for a wind energy system are available from the Village Administrator and shall include the following information.

(1) *Site plan.* Site plan (map view) to scale showing the location of all of the components of the proposed wind energy system and the locations of all existing buildings, structures, property lines; overhead utilities, along with distances.

(2) *Elevation drawings.* Elevation (side view) drawings of the site to scale showing the height, design, and configuration of the system and the height and distance to all existing structures, buildings, overhead utilities, property lines.

(3) *Structural drawings and engineering analysis.* Structural drawings and engineering analysis of the system tower and/or supporting structure, demonstrating adequate weight and lateral stress capacity, and a standard foundation and anchor design demonstrating adequate vertical and lateral support capacity for the soil conditions at the site. All roof top mounts and free standing tower type designs shall be certified by a registered professional engineer from the State of Ohio.

(4) *Specific information.* Specific information on the type, size, rotor material, rated power output, performance, safety and noise characteristics of all parts of the system, including the name and address of the component manufacturers model and serial numbers of all system components and statement from the manufacturer that the system meets all applicable electrical codes. All wind energy systems shall be designed to conform to all the requirements of the Ohio Building Code, Ohio Residential Code, the National Electrical Code and all other applicable regulations. All alternative energy systems proposed to be connected to the Village's Municipal Power System shall be net metered, and shall have grid failure disconnect systems and shall adhere to O.R.C. § 4928.67 and UL 1741, Standard for Utility-Interactive Applications.

(5) *Insurance.* Property owners of a wind energy system shall maintain a current liability insurance policy which will cover installation and operation of the wind energy system at all times. The liability insurance policy shall, as a minimum, include covering bodily injury and property damage with limits of at least one million dollars per occurrence and one million dollars in the aggregate. Property owner shall provide a copy of a current policy and make part of the application for a wind energy system. Annually property owner and/or wind energy system owner shall be required to re-apply for a wind energy system permit which requires proof of liability insurance coverage.

(F) NON-USE.

Any wind energy system which complies with the terms of this ordinance, but is not operable, excluding pending repair parts, shall be removed within six months. The property owner shall remove the wind energy system at their expense. Removal of the system shall include the removal of the entire structure, including foundations, transmission/inter-connect equipment, and fencing from the property. Failure to remove the system shall be deemed a violation of this subchapter and shall be handled in the same manner as other nuisances, Property Maintenance – Village Ordinance 33-2006, within the village, which requires that the failure of an owner to remove an inoperable wind energy system the village may petition the Stark County Municipal Court to, among other remedies, abate the nuisance, require the owner to post a cash bond totaling the estimated abatement cost, and/or file a written statement of all costs and expenses incurred by the village related to the abatement of the public nuisance with the Court and submit a copy to the property owner. The property owner shall pay to the village such amount of the costs and expenses of the written statement as approved by the Court within 30 days after Court approval. If the property owner fails or refuses to pay the village such amount as approved by the Court, then such amount shall be entered by the village upon the tax duplicate and shall be a lien upon such property from the date of entry and shall be collected as other taxes and returned to the General Fund of the village.

(G) DISCONNECTION

All wind energy systems shall have grid failure disconnection system and shall adhere to the O.R.C. § 4928.67 and UL 6140-1 and National Electrical Code Article 705.

154.08 OUTDOOR FURNACES AND BOILERS.

Wood or coal fired outdoor furnaces and boilers are not permitted in any Village zoning districts. Natural Gas or Propane fired Outdoor furnaces and boilers are permitted in the village in all zoning districts and shall meet all accessory use/accessory building requirements of Section 153.019 Supplementary Regulations of Village Zoning Code

154.09 OUTDOOR GENERATORS.

(A) *Permitted use.* Outdoor generators adhering to the following performance and design standards of this section are permitted uses in all zoning districts.

(B) *Performance and design standards.*

- (1) Outdoor generators shall be used for backup or emergency purposes only and shall not run continuously except during utility outages. Outdoor Generators are restricted to being gas, natural gas, diesel fuel, clean home heating oil, or propane fired and may not be wood or coal fired.
- (2) All outdoor generators shall be located in the rear or side yard only and shall meet all accessory use/accessory building requirements Section 153.019 Supplementary Regulations of Village Zoning Code
- (3) No more than one outdoor generator shall be permitted per single-family dwelling and shall not exceed a faceplate rating of 20 kW. No more than two **units** shall be permitted for multi-family dwelling and non-residential buildings.
- (4) Outdoor generators shall be considered as an accessory use and shall meet all accessory use/accessory building requirements of Section 153.019 Supplementary Regulations of Village Zoning Code
- (5) Outdoor generators shall be installed at grade and in accordance with manufacturer standards.
- (6) All outdoor generators shall have grid failure disconnect systems and shall adhere to O.R.C. § 4928.67 and UL 1741, Standard for Utility-Interactive Applications.

154.71 MAINTENANCE AND NON-USE.

All alternative energy systems and related components shall be properly maintained and kept in operation. Any alternative energy system that remains non-functional or inoperative for a continuous period of six months shall be deemed to be abandoned and shall constitute a public nuisance. This shall not include functioning systems used for backup power or emergency situations. The owner shall be notified of the violation of Property Maintenance Code - Village Ordinance 33-2006

Removal of the alternative energy system shall include the removal of the entire structure, including foundations, transmission/interconnection equipment. Failure to remove the alternative energy system shall be deemed a violation of this subchapter and shall be handled in the same manner as other nuisances, Property Maintenance Code - Village Ordinance 33-2006

154.72 PENALTY.

(A) *Penalties for violation.* Violation of the provisions of this chapter or failure to comply with any of its requirements, including violations of conditions and safeguards established in various sections of this chapter, shall constitute a misdemeanor. Any person who violates this chapter or fails to comply with any of its requirements shall upon conviction thereof be fined not more than \$100 or imprisoned for not more than 30 days, or both, and in addition shall pay all costs and expenses involved in the case. Each day such violation continues after receipt of a violation notice shall be considered a separate offense. The owner or tenant of any building, structure, premises, or part thereof, and any architect, builder, contractor, agent or other person who commits, participates in, assists in, or maintains such violation may be found guilty of a separate offense and suffer the penalties herein provided. Nothing herein contained shall prevent the village from taking such other lawful action as is necessary to prevent or remedy any violations.

(B) *Civil action.* In case any building is or is proposed to be located, erected, constructed, reconstructed, enlarged, changed, maintained or used or any land is or is proposed to be used in violation of law or of this chapter or any amendment thereto, the Village Council, the Village Solicitor, the Zoning Administrator or any adjacent or neighboring property owner who would be especially damaged by such violation may, in addition to other appropriate action, enter proceedings to prevent, enjoin, abate or remove such unlawful location, erection, construction, reconstruction, enlargement, change, maintenance or use.

(C) *Remedies cumulative.* The exercise of the rights and remedies granted in this section shall in no way preclude or limit the village or any person from exercising any other right or remedy now or hereafter granted to them under the state law.

154.73 Modifications to Village Zoning Code

In the Village Zoning Code modifications will be made where appropriate to direct that Chapter 154.00 ALTERNATIVE ENERGY SYSTEMS shall be included as being governed by the regulations of Conditional Zoning Certificates and Sections 153.365 – 153.383.

SECTION 2: This ordinance shall be in full force and effect at the earliest date provided by law.

ATTEST:

Village Clerk Treasurer K. Kris King

CERTIFICATE

I, K. Kris King, hereby certify that the above is a true copy of an ordinance passed at a regular meeting of the Brewster Village Council held on April 18, 2016

Clerk K. Kris King

I, K. Kris King, Clerk of the Council of the Village of Brewster, State of Ohio, do hereby certify that there is no newspaper printed in said municipality and that publication of the foregoing ordinance was duly made by posting true copies thereof at five of the most public places in said corporation as determined by Council as follows: Office of Brewster Utilities, Belloni's IGA, Brewster Federal Credit Union, Post Office and Brewster Laundromat.

Clerk K. Kris King