

CITY OF DAYTON, KENTUCKY

ORDINANCE NO. 2025#1

AN ORDINANCE ADOPTING THE CITY OF DAYTON, KENTUCKY'S ANNUAL BUDGET FOR THE FISCAL YEAR RUNNING FROM JULY 1, 2025, THROUGH JUNE 30, 2026, AND ESTIMATING REVENUES AND RESOURCES AND APPROPRIATING FUNDS FOR THE CITY TO THE FULL EXTENT AUTHORIZED BY KRS 82.082 AND INTERPRETATIVE CASE LAW.

WHEREAS, a proposed annual operating budget has been prepared and delivered to the City Council of the City of Dayton, Kentucky; and,

WHEREAS, the City Council, having reviewed and discussed the proposed budget, desires to adopt it for Fiscal Year 2026.

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF DAYTON, CAMPBELL COUNTY, KENTUCKY, AS FOLLOWS:

1. The Annual Operating Budget for the Fiscal Year beginning July 1, 2025, and ending June 30, 2026, including all sources of estimated revenues and appropriations for all City funds as set forth in Exhibit 1, which is attached and made by reference a part hereof, is hereby adopted.
2. All encumbrances outstanding on June 30, 2025, for goods not yet provided or services not yet rendered are hereby reappropriated to conform with generally accepted accounting principles for the Fiscal Year beginning July 1, 2025, and ending June 30, 2026.
3. The balance of all capital construction, renovation, improvement projects and grants currently approved and/or nearing completion are hereby approved for reappropriation and carry over for the Fiscal Year beginning July 1, 2025, and ending June 30, 2026.
4. The provisions of this Ordinance are hereby declared to be severable, and if any section, phrase, or provision shall for any reason be declared invalid, such declaration of invalidity shall not affect the validity of the remainder of this Ordinance.
5. All prior Municipal Order/Resolutions and/or or Ordinances or parts of any thereof that are in conflict with this Ordinance are hereby repealed.
6. This Ordinance is adopted pursuant to KRS 83A.060 in that it was introduced on May 13, 2025, and given final reading on June 10, 2025, and this Ordinance shall be in full force and effect upon signature, recordation, and publication in summary pursuant to KRS Chapter 424.

Adopted by City Council of the City of Dayton, Campbell County, Kentucky assembled in regular session.

First Reading: May 13, 2025

Second Reading: June 10, 2025

MAYOR BEN BAKER

ATTEST:

TRISTAN KLEIN
CITY CLERK/TREASURER

City of Dayton Budget 2026

The annual budget for fiscal year beginning July 1, 2025 and ending June 30, 2026 is hereby adopted as follows:

Resources Available	General Fund	Municipal Aid Fund	Econ. Development	Park Board	TIF
Fund Balance Forward:	\$ 5,481,500.00	\$ 30,000.00	\$ 470,000.00	\$ 50,000.00	\$ 840,000.00
Estimated Revenue					
Taxes	\$ 2,138,000.00				\$ 1,150,000.00
Licenses and Permits	\$ 2,608,200.00				
Fines	\$ 177,200.00				
Intergovernmental	\$ 118,000.00	\$ 160,000.00		\$ 150,000.00	
Charges for Services	\$ 411,550.00				
Miscellaneous	\$ 565,250.00			\$ 400.00	
Grant Restricted	\$ 3,201,920.00			\$ 72,000.00	
Interest	\$ 30,000.00	\$ 600.00	\$ 7,000.00	\$ 1,000.00	\$ 6,000.00
Total Estimated Revenue	\$ 9,250,120.00	\$ 160,600.00	\$ 7,000.00	\$ 223,400.00	\$ 1,156,000.00
Available Appropriations					
	\$ 14,731,620.00	\$ 190,600.00	\$ 477,000.00	\$ 273,400.00	\$ 1,996,000.00
Appropriations					
General Government	\$ 780,000.00				\$ 150,000.00
Police	\$ 1,545,600.00				
Fire	\$ 1,382,390.00				
Public Works	\$ 600,000.00	\$ 30,000.00		\$ 77,500.00	
Code Enforcement	\$ 150,000.00				
Parks				\$ 170,000.00	\$ 150,000.00
Economic Development			\$ 50,000.00		
Waste Collection	\$ 522,000.00				
Professional Services	\$ 100,000.00	\$ 130,000.00			
TIF Payment					\$ 850,000.00
Miscellaneous	\$ 61,500.00				
Capital Spending	\$ 6,482,400.00				
Total Appropriations	\$ 11,623,890.00	\$ 160,000.00	\$ 50,000.00	\$ 247,500.00	\$ 1,150,000.00
Est. Ending Fund Balances					
	\$ 3,107,730.00	\$ 30,600.00	\$ 427,000.00	\$ 25,900.00	\$ 846,000.00

CITY OF DAYTON, KENTUCKY
ORDINANCE 2025#3

AN ORDINANCE AMENDING CHAPTER 50 OF THE CITY OF DAYTON CODE OF ORDINANCES, TITLED “GARBAGE,” TO REFLECT CHANGES TO THE CITY’S SOLID-WASTE REMOVAL AND RECYCLING POLICIES AS A RESULT OF THE CITY’S NEW SOLID-WASTE AND RECYCLING CONTRACT WITH RUMPKE OF KENTUCKY, INC., INCLUDING THE IMPOSITION OF CIVIL FINES FOR FAILURE TO COMPLY WITH THE TERMS OF THE ORDINANCE.

WHEREAS, the City of Dayton, Kentucky (“City”) has contracted with Rumpke of Kentucky, Inc. to provide solid-waste disposal and recycling services in the City; and

WHEREAS, the City needs to amend Chapter 50, titled “Garbage,” of the Code of Ordinances to reflect this new contract and to impose civil fines for violations of this Chapter.

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE DAYTON CITY COUNCIL AS FOLLOWS:

The City of Dayton Code of Ordinances – specifically, Title V: Public Works, Chapter 50, Garbage -- is hereby amended in its entirety as follows.

§ 50.01 PURPOSE.

The purpose of this chapter is to regulate solid-waste disposal and recycling in the city. It is intended to make all persons within the City responsible for contributing to the public cleanliness of the city to promote the public health, safety, and welfare of the City and to protect the economic interests of citizens against unsanitary, unsafe, and unsightly conditions. It is further the intent of this subchapter to protect citizens from a health and safety menace and the expense associated with solid-waste removal and recycling.

§ 50.02 DEFINITIONS.

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

“ASHES.” The residue resulting from the burning of wood, coal, cote, or other combustible material.

“CITY.” City of Dayton, Kentucky.

“DISPOSAL.” The storage, collection, disposal, or handling of refuse or garbage.

“DUMPSTER. Dumpster means a specially constructed, removable waste container of any size designed to be mechanically picked up, dumped, and/or transported by a specially constructed vehicle designed for that purpose.

“FRANCHISEE.” The solid-waste removal and recycling provider with which the City has contracted, which, as of July 1, 2025. is Rumpke of Kentucky, Inc., which is referred to as “PROVIDER.”

“GARBAGE.” All animal and vegetable wastes resulting from the handling, preparation, cooking, or consumption of foods.

“RECYCLE” or “RECYCLING.” “Recycle” or “recycling” means the process of collecting, sorting, cleaning, treating, and reconstituting materials that would otherwise become solid waste and returning them for use or reuse in the form of raw materials for new, used, or reconstituted products.

“PREMISES.” A platted lot or part thereof or unplatted lot or parcel of land or plat of land, either occupied with a dwelling or other structure or unoccupied, and includes any such building or part thereof, accessory structure, or other structure thereon.

“PROVIDER” or “SOLID-WASTE PROVIDER.” See “FRANCHISE.”

“RESIDENT.” The owner or his, her, or its agent, or the occupant of any real estate located within the City.

“REFUSE.” All solid wastes, except body wastes and garbage, and shall include ashes and rubbish.

“RUBBISH.” Glass, metal, paper, plant growth, wood or nonputrescible solid wastes.

“SOLID WASTE.” All garbage, refuse, rubbish,

“TOTER.” A solid-waste container on wheels with an attached lid supplied by the City’s franchisee in one three sizes: a 95-gallon container, a 65-gallon container, or a 35-gallon container.

§ 50.03 OWNER AND OCCUPANT BE RESPONSIBLE FOR REAL PROPERTY.

(A) A resident (owner and/or occupant) shall be responsible for the sanitary condition of the premises owned or occupied by them, including, but not limited to, the removal of solid-waste from the premises. It shall be unlawful for any person to place, deposit, or allow to be placed or deposited on any premises any refuse, garbage, or rubbish, except as designated by the terms of this Chapter.

(B) All refuse and garbage shall be drained free of liquids before disposal. Garbage shall be placed in plastic garbage bags, paper containers, or similar material before being placed in toters for solid-waste removal.

(C) All cans, bottles, or other food containers shall be rinsed free of food particles and drained before disposal or recycling, if such items are appropriate for recycling.

(D) Rubbish shall be either placed in approved containers, or cut and baled, tied, bundled, stacked, or packaged so as not to exceed thirty-six (36) inches in length and thirty (30) pounds in weight.

(E) Private property owners and/or their tenants shall not place out for collection or otherwise place in the public right-of-way any rubbish, clothing, mattresses, box springs, cushions, carpets, or other items unless the items are completely encapsulated so as to cover and securely envelop item in plastic.

§ 50.04 SOLID-WASTE AND RECYCLING TOTERS REQUIRED.

(A) The City's solid-waste provider will provide City residents with city-issued trash toters to hold all solid waste and recycling accumulated in or upon the premises of the residents. City-issued trash toters shall remain in or on the premises in which the resident lives, and if a resident vacates the premises or a dwelling thereon, the solid-waste toter shall stay with that dwelling. Trash toters shall contain bagged trash only. No loose garbage or trash will be allowed to accumulate in a resident's trash toter. Trash toters must have the lid(s) closed at all times and the contents of the toters must be inaccessible to animals and insects. Trash toters for collection shall be placed upon resident's premises or adjacent right-of-way next to a street or ally, if trash is collected from the alley. Trash toters must be easily accessible to the City's solid-waste and recycling provider. If toters are not maintained in accordance with this paragraph, then this resident will be in noncompliance with this ordinance. A Code Enforcement Officer shall have the final authority to determine whether or not a resident's container complies with this ordinance.

(B) The City's franchisee will provide one 95-gallon trash toter and one 65-gallon recycling toter to residents on or around July 1, 2025. If residents wish to use smaller toters, they must contact the franchisee to request the smaller toters.

(C) Residents must use the toters supplied by the franchise, but they may use additional garbage containers with these toters if the need arises. The resident-supplied toters must not be larger than

95 gallons and must be made of a durable, water-tight, rust-resistant material having a tight lid and handles to facilitate collection and these containers must be maintained in good condition.

§ 50.05 PREPARATION OF REFUSE AND GARBAGE.

(A) It shall be unlawful to permit the accumulation of residue of liquids, solids, or a combination of such material on the bottom or sides of totes or containers. The interior of totes and containers shall be kept clean by the resident thorough rinsing and draining as often as necessary.

(B) Residents may dispose of one large item, such as an appliance or piece of furniture, each week. If appliances with freon or other coolants are being disposed of, these coolants must be properly removed by a certified professional with a sticker on it showing the certification of the coolant removal. Appliances without this certification will not be disposed of by the City's franchisee.

(C) Resident should stack and bind sticks or wood bundles with string, rope, or wire for disposal in length no greater than five (5) feet.

(D) Materials not enclosed in a tote or other container shall not be more than five (5) feet in length or 18 inches in diameter, and these materials should not weigh more than seventy-five (75) pounds.

§ 50.06 UNAUTHORIZED REFUSE AND GARBAGE.

It shall be unlawful to store or set out for collection the following types of garbage, refuse, rubbish or large items:

(A) Dangerous materials or substances, such as poisons, acid, caustics, infected materials, and explosives;

(B) Materials resulting from the repair, excavation, or construction of buildings or structures, such as earth, plaster, mortar, concrete, roofing material, lumber, plumbing fixtures, and other similar materials;

(C) Materials that have not been prepared for collection in accordance with the provisions of city ordinances;

(D) Solid waste resulting from industrial processes;

(E) Human or animal body wastes;

(F) Medical waste, including, but not limited to, needles, syringes, blood, plasma, and bones;

(G) Tires; and

(H) Other waste as prohibited by federal, state, or local laws and regulations.

§ 50.07 STORAGE OF REFUSE AND GARBAGE.

(A) Residents shall place and keep all refuse and/or garbage and recycling in the solid-waste and recycling totes provided by the City's franchisee.

(B) Totes and other containers shall not be placed on the street right-of-way prior to 6:00 p.m., on the day immediately before scheduled collections, and shall be removed to the premises before 11:30 a.m., local time, the day immediately following scheduled collections.

(C) It shall be unlawful to place refuse or garbage in any street, alley, or any other public place, or upon private property, whether owned or not, unless the refuse or garbage is placed in an approved container.

(D) Garbage and refuse must fit inside the container to allow sufficient room for the lid of the container to close completely.

(E) Residents shall encapsulate and securely wrap in plastic any upholstered furniture, mattresses, pillows, cushions, box springs and similar items stored outside of a completely enclosed structure or placed out for collection or otherwise placed in the public right-of-way.

§ 50.08 COLLECTION PRACTICES.

(A) For the purpose of collection, totes and containers shall be placed at ground level so that they are readily accessible to the collector. They shall be on the side of the street from which collection is to be made.

(B) Notwithstanding the provisions of division (A) of this section, commercial and industrial establishments, or other persons may, by contract with the provider, place dumpsters or other containers at agreed places upon their premises.

(C) Commercial and industrial businesses and multi-family residential complexes with more than 10 residential units may contract with the City's provider or other providers for dumpsters serving their properties.

§ 50.09 UNSCHEDULED SET OUT.

It shall be unlawful to set out garbage totes, containers, or other refuse, rubbish, or large items outside of the authorized schedule collection day as set forth in § 50.07(B) unless special collection arrangements have been made in advance with the franchisee. In no event, shall garbage, refuse, rubbish or other large items be set out for more than twenty-four (24) hours before the special collection arrangement time.

§ 50.10 WASTE COLLECTION SERVICE FEE.

(A) For the purposes of this section of the ordinance, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

“COMMERCIAL UNIT.” A principal non-residential building space of any size occupied or designed for occupancy by an individual non-residential business or public or private enterprise.

“OWNER OF IMPROVED REAL ESTATE.” The titleholder of record.

“PERSON, FIRM, OR CORPORATION DOING BUSINESS IN THE CITY OF DAYTON, KENTUCKY.” The person, firm, or corporation in whose name the occupational license fee for said business is registered.

“RESIDENTIAL UNIT.” A principal residential space occupied or designed for occupancy for residential purposes.

(B) There is hereby levied and imposed upon the owners of improved real estate in the City of Dayton, Kentucky and upon persons, firms, and corporations doing business in the City of Dayton, Kentucky, a waste collection service fee as follows:

(1) For each resident receiving residential trash and recycling collection service in the City, the sum of two-hundred-seventy dollars (\$270) per year, subject to annual cost-of-living increases, payable as stated herein.

(2) For each business or commercial unit disposing of solid waste on average in excess of ten (10) 95-gallon totes per week shall contract directly with and pay directly to a private waste collection service.

(C) The City shall impose a franchise fee in the amount of 10 percent of the waste fee set forth in paragraph (B)(1) above to cover the administrative services for invoicing these bills and administering this solid-waste contract with franchisee.

(D) This waste collection service fee provided by this section shall be added to the yearly ad valorem tax bill for the said property and shall be collected on or before the date due for such ad

valorem taxes. All waste collection service fees remaining unpaid after such date shall be deemed delinquent and shall be subject to the same penalty as set for delinquent ad valorem taxes for the same year in addition to any other penalty provided under this chapter. Furthermore, delinquent waste collection fees may be collected by the City Attorney in civil suit against the responsible party if all other methods of collection fail in any manner allowed by law.

(E) All proceeds collected under this section shall be paid into a separate fund to pay for the collection of waste, collection of debris, upkeep and cleanliness of the city and its properties and associated administrative costs.

§ 50.11 DUMPSTER USER FEE.

(A) Each and every resident of the city having refuse materials created in the city of a nature and size not accepted by the city's residential waste contractor, may have use of the city dumpster for the discharge of said materials provided that: (a) the materials do not include grass, weeds, trees or other biodegradable yard materials; (b) the materials are not of a toxic or hazardous nature; and (c) the materials will be accepted by the city's trash hauler.

(B) Each such qualified person shall make written application in person at the city business office between 9:00 a.m. and 3:30 p.m. to the City Clerk/Treasurer stating his or her name and address, the address of the property at which he or she resides, the date and time that materials will be transported to the dumpster, that the refuse material was created in the city, the amount of the material and the kind of material proposed for discharge. The City Clerk/Treasurer may request proof of any of the information requested and may request verification by the City Inspector that the refuse materials were created in the city and are acceptable.

(C) Upon satisfaction that the user meets the requirement, the City Clerk/Treasurer shall charge zero dollars (\$0.00) for the first 96 cubic feet of materials, or portion thereof, per residence, and

collect a fee of forty-five dollars (\$45.00) for each additional ninety-six (96) cubic feet of materials or portion thereof. The City Clerk/Treasurer shall issue the user a receipt stating the amount of materials, type of materials, date and time of discharge, and amount paid.

(D) The resident shall take the receipt, along with the materials to the dumpster site and present the receipt to the Superintendent of Public Works or his or her designee who shall inspect the materials and certify that the type of materials are acceptable and that the amount of materials does not exceed that stated in the receipt. Upon such finding, the user may discharge the materials into the city dumpster.

(E) All funds collected by the city shall be placed in the special fund created under § 50.10(D).

§ 50.99 ENFORCEMENT

(A) Dayton Code Enforcement Department shall have authority to enforce this subchapter of the City of Dayton, Kentucky, Code of Ordinances.

(B) Violations of this Code subchapter are civil offenses, which may be enforced through the City's Code Enforcement Board, pursuant to the provisions of Chapter 38 of the Code.

(C) Any person, firm, corporation, or titled owner who violates a provision in this Chapter shall be subject to a civil fine of not less than fifty dollars (\$50.00) per day per violation, but not more than one hundred dollars (\$100.00) per day per violation for the first thirty (30) days if the violation(s) remains uncorrected, and thereafter, a civil fine of not less than one hundred dollars (\$100.00) per day per violation, but not more than two hundred fifty dollars (\$250.00) per day per violation, until the violation(s) are corrected. The city may also recover any costs it incurs in abating the violation(s).

(D) Each day a violation continues after due notice has been served shall be deemed a separate offense, up to a maximum of five thousand dollars (\$5,000.00) per citation. The Code Enforcement

Officer may suspend daily fines if a resident submits documentation or provides other substantial evidence showing it has taken action to remediate the code violation(s). If so, the Code Enforcement Officer shall enter a written notation in the case file outlining the remediation efforts undertaken and the date on which the daily fines were suspended. The Code Enforcement Officer may revoke the suspension if, in his or her opinion, remediation efforts at the property have discontinued; this revocation also shall be recorded in the case file.

This ordinance shall be in full force and effect from and after its adoption, approval, and publication as is required by law.

PASSED by City Council of the City of Dayton, Campbell County, Kentucky assembled in regular session.

First Reading: June 10, 2025

Second Reading: _____

ATTEST:

MAYOR BEN BAKER

TRISTAN KLEIN
CITY CLERK/TREASURER

**CITY OF DAYTON, KENTUCKY
ORDER/RESOLUTION NO. 2025-11R**

AN ORDER/RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT AND EXECUTE A DEED TO PURCHASE REAL ESTATE LOCATED AT 1112 THIRD AVENUE, DAYTON, KENTUCKY, FOR \$16,200, SUBJECT TO THE CITY OBTAINING A CLEAN TITLE REPORT FOR THE PROPERTY, PAYABLE FROM THE CITY'S GENERAL FUND.

WHEREAS, Kelly Michelle Nelson (“the Seller”) is willing to sell to the City of Dayton, Kentucky (“City”) real estate located at 1112 Third Avenue, Dayton, Ky. (“Real Estate”) and the City is willing to purchase this Real Estate from the Seller.

NOW, THEREFORE, BE IT ORDERED AND RESOLVED BY THE CITY COUNCIL OF THE CITY OF DAYTON, KENTUCKY THAT:

Section I

The Mayor is hereby authorized to enter into a contract with the Seller and to execute a deed to purchase Real Estate located at 1112 Third Avenue, Dayton, Ky. in the amount of \$16,000, subject to a clean title report for the Real Estate showing no liens or other encumbrances on the property, payable from the City’s General Fund. A copy of the Offer, Acceptance, and Real Estate Purchase Contract is attached hereto as Exhibit “A” and made by reference a part hereof.

Section II

That this Order/Resolution shall be maintained and indexed in the Official Order Book by the City Clerk/Treasurer.

MAYOR BEN BAKER

ATTEST:

TRISTAN KLEIN
CITY CLERK/TREASURER
June 10, 2025

CERTIFICATION

I, Tristan Klein, do hereby certify that I am the duly qualified and acting Clerk/Treasurer of the City Council of Dayton, Kentucky, and as such, I further certify that the foregoing is a true, correct, and complete copy of an Order/Resolution duly adopted by the City Council of the City at a regular meeting properly held on June 10, 2025, signed by the Mayor and is now in full force and effect, all as appears from the official records of the City in my possession and under my control.

IN WITNESS WHEREOF, I have hereunder set my hand this _____ day of _____
2025.

Tristan Klein
City Clerk/Treasurer

EXHIBIT "A"

**CITY OF DAYTON, KENTUCKY
ORDER-RESOLUTION NO. 2025-12R**

AN ORDER-RESOLUTION AUTHORIZING
THE MAYOR TO ENTER INTO A CONTRACT
WITH JK MUERER PAVING IN THE TOTAL
AMOUNT OF \$111,745.00 FOR CONSTRUCTION
AND PAVING OF FOUR NEW PICKLEBALL
COURTS AND REPAVING THE EXISTING
BASKETBALL COURTS IN GIL LYNN PARK,
PAYABLE FROM PARK TAX FUNDS.

WHEREAS, the City of Dayton, Kentucky (“City”) advertised and accepted Requests for Proposals (RFP) for the construction and paving of four new pickleball courts and the repaving of existing basketball courts at Gil Lynn Park; and

WHEREAS, two contractors submitted bids in response to the RFP and City staff reviewed both bids and found that the bid from JK Meurer Paving, 33 Glendale Milford Road, Loveland, Ohio 45140, was the best and most responsive bidder.

**NOW, THEREFORE, THE CITY OF DAYTON, KENTUCKY, HEREBY
ORDERS AND RESOLVES AS FOLLOWS:**

The Board of the City Council of the City of Dayton, Kentucky, hereby authorizes the Mayor to enter into a contract with JK Meurer Paving in the amount of \$75,670.00 for the excavation and construction of four pickleball courts, including installation of aggregate, eight pickleball net post footers and sleeves for net posts, and asphalt, and \$36,075.00 for repaving the existing basketball courts at Gil Lynn Park, including milling existing asphalt by a depth of two inches, applying a tack coat to existing asphalt, installing a new asphalt surface, and line striping the courts, which makes the total cost of both projects to be \$111,745.00.

SO ORDERED and approved by the City Council of the City of Dayton, Kentucky, on this 9th day of June 2025.

MAYOR BEN BAKER

ATTEST:

TRISTAN KLEIN
CITY CLERK/TREASURER