ORDINANCE NO. 62 - 2017

AN ORDINANCE APPROVING, ADOPTING AND ENACTING AMERICAN LEGAL PUBLISHING'S OHIO BASIC CODE, 2017 EDITION, AS THE CODE OF ORDINANCES FOR THE MUNICIPALITY OF Amarda V. 116ge, OHIO, AND DECLARING AN EMERGENCY.

WHEREAS, the present general and permanent ordinances of the municipality are inadequately arranged and classified and are insufficient in form and substance for the complete preservation of the public peace, health, safety and general welfare of the municipality and for the proper conduct of its affairs.

WHEREAS, American Legal Publishing Corporation publishes a Code of Ordinances suitable for adoption by municipalities in Ohio.

WHEREAS, it is necessary to provide for the usual daily operation of the municipality and for the immediate preservation of the public peace, health, safety and general welfare of the municipality that this ordinance take effect at an early date.

NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE AUTHORITY OF THE MUNICIPALITY OF Amande U. 1690, OHIO:

- Section 1. American Legal Publishing's Ohio Basic Code, 2017 Edition, as reviewed and approved by the Legislative Authority, is hereby adopted and enacted. Any prior version of the Ohio Basic Code which may have been previously adopted by the municipality is hereby repealed as obsolete and is hereby replaced in its entirety by this Ohio Basic Code, 2017 Edition.
- Section 2. One copy of American Legal Publishing's Ohio Basic Code, 2017 Edition, certified as correct by the Mayor and Clerk of the Legislative Authority, as required by Ohio Revised Code § 731.23, shall be kept in its initial form on file in the office of the Clerk of the municipality and retained as a permanent ordinance record of the municipality. The Clerk of the municipality is authorized and directed to publish a summary of all new matters contained in the Code of Ordinances as required by Ohio Revised Code § 731.23. Such summary is attached hereto and marked as "Exhibit A".
- Section 3. All ordinances and resolutions or parts thereof which are in conflict or inconsistent with any provision of the Ohio Basic Code, 2017 Edition, as adopted in Section 1 hereof, are hereby repealed as of the effective date of this ordinance, except as follows:
 - (A) The enactment of the Ohio Basic Code, 2017 Edition, shall not be construed to affect a right or liability accrued or incurred under any legislative provision prior to the effective date of such enactment, or an action or proceeding for the enforcement of such right or liability. Such enactment shall not be construed to relieve any person from punishment for an act committed in violation of any such legislative provision, nor to affect an indictment or prosecution therefor. For such purposes, any such legislative provision shall continue in full force notwithstanding its repeal for the purpose of revision and codification.

- (B) The repeal provided above shall not affect:
 - (1) The grant or creation of a franchise, license, right, easement or privilege;
 - (2) The purchase, sale, lease or transfer of property;
 - (3) The appropriation or expenditure of money or promise or guarantee of payment;
 - (4) The assumption of any contract or obligation;
 - (5) The issuance and delivery of any bonds, obligations or other instruments of indebtedness;
 - (6) The levy or imposition of taxes, assessments or charges;
 - (7) The establishment, naming, vacating or grade level of any street or public way;
 - (8) The dedication of property or plat approval;
 - (9) The annexation or detachment of territory;
 - (10) Any legislation enacted subsequent to the adoption of this ordinance.
 - (11) Any legislation specifically superseding the provision of the Ohio Basic Code.
- Section 4. Whenever reference is made in any documents, publications, or signs of the municipality, including but not limited to traffic tickets and traffic-control signs, to a section as it existed in a former edition of the Ohio Basic Code, the reference shall extend and apply to the section referred to as subsequently amended, revised, recodified, or renumbered.
- Section 5. This ordinance is declared to be an emergency measure necessary for the immediate preservation of the peace, health, safety and general welfare of the people of this municipality, and shall take effect at the earliest date provided by law.

-6-17 Date Passed:

Attest:

Clerk of the Legislative Authority

Exhibit A

OHIO BASIC CODE, 2017 EDITION - SUMMARY OF CONTENTS

Notice is hereby given that on the l_{a} day of \underline{Teb} , 2017, there was enacted by the Legislative Authority of the Municipality of $\underline{Amanda \ V(ll_{2})}$, Ohio, an ordinance entitled "An Ordinance Approving, Adopting and Enacting American Legal Publishing's Ohio Basic Code, 2017 Edition, as the Code of Ordinances for the Municipality of $\underline{Amanda \ V(ll_{2})}$, Ohio."

A summary of the subjects, including all new matters contained in the Code of Ordinances, as adopted, are as follows. The majority of Basic Code provisions are based directly on state law.

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This summary of contents has been verified and authorized for publication by the Legislative Authority of the Municipality of Amanda Village, Ohio.

Signed:

Mayor Mayor Clerk of the Legislative Authority

CERTIFICATION OF CODIFIED ORDINANCES

We, <u>Mark A Moone</u>, Mayor, and <u>Gurne Adjest</u>, Clerk of the Legislative Authority, of the Municipality of <u>Amanda Ullege</u>, Ohio, pursuant to Ohio Revised Code §§ 731.23 and 731.42, hereby certify that the general and permanent ordinances of the Municipality, as revised, rearranged, compiled, renumbered as to sections, codified and printed herewith in component codes and titles are correct as and constitute the Code of Ordinances for the Municipality of <u>Amanda Ullege</u>, Ohio.

Mayor

Clerk of the Legislative Authority

RECORD OF ORDINANCES

	Dayton Legal Blank, Inc. Form No. 300)43
	Ordinance No. 03-2017 Passed 5-1 , 2017	
	Ordinance to set rates for outside of village limits	
	Amend Ordinance #1-2014	
<u>Whe</u>	ereas the legislative authority deems it necessary to amend water rates.	
<u>Whe</u>	ereas the village would like to set rates for outside the village limits.	
	e <u>reas</u> the legislative authority would like to set a 20% monthly surcharge for water on any outside the village limits.	
	e <u>reas</u> the legislative authority would like to set a 20% monthly surcharge for sewer on any outside the village limits.	
Now	therefore let it be ordained by VILLAGE OF AMANDA, OHIO:	
the s will b earlie	the village Legislative Authority does hereby amend the water rates listed above. To add surcharge fees for water and sewer for any tap outside of the village limits. This surcharge be a 20% surcharge on water and sewer. That this ordinance shall take effect upon the est date allowed by law.	
Carrie The th Yeas_ The ur	Ayers Fiscal Officer ree reading requirement was waived/not waived: <u>4</u> nays ndersigned, Fiscal Officer of the Legislative Authority, does hereby certify that the foregoing legislation was posted in not	
	an five (5) public places, as determined by the legislative authority, for a period of not less than fifteen (15) days prior to fective date thereof.	

Fiscal Officer

1st 2nd Reading 5-1-13 3rd Wear Stan Ware Stan

RECORD OF ORDINANCES

Form No. 30043

why it laves

OY-2017 ORDINANCE TO AMEND PROPERTY MAINTENANCE CODE 20, 20

Dayton Legal Blank, Inc.

WHEREAS THE VILLAGE COUNCIL DESIRES TO AMEND ORDINANCE 02-2013 THE INTERNATIONAL PROPERTY MAINTENANCE CODE

WHEREAS THE LEGISLATIVE AUTHORITY DEEMS IT NECESSARY TO ADD ADDITIONAL PROVISIONS TO THE EXISTING CODE

WHEREAS THE ATTACHED EXHIBITS B, C, AND D ARE TO BE AMENDED TO THE EXISTING CODE 02-2013

NOW THEREFORE, LET IT BE ORDAINED BY THE VILLAGE OF AMANDA, OHIO:

THAT THE VILLAGE COUNCIL AUTHORIZES AMENDMENTS TO THE INTERNATIONAL PROPERTY MAINTENANCE CODE 02-2013, WITH THE ADDITIONS OF EXHIBIT B, C, AND D

THE ORDINANCE SHALL BE IN EFFECT AND BE IN FULL FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW.

Mark J. Mon
VOTE: YES 5 NO O
CVZ
CARRIEAYERS
FISCAL OFFICER
THE THREE READING REQUIREMENT WAS WAIVED NOT WAIVED:
FISCAL OFFICER
THE UNDERSIGNED, FISCAL OFFICER OF THE LEGISLATIVE
AUTHORITY, DOES HEREBY CERTIFY THAT THE FOREGOING
LEGISLATION WAS POSTED IN NOT LESS THAN FIVE (5) PUBLIC
PLACES, AS DETERMINED BY THE LEGISLATIVE AUTHORITY FOR THE
PERIOD OF NOT LESS THAN FIFTEEN (15) DAYS PRIOR TO THE

FISCAL OFFICER

EFFECTIVE DATE THEREOF.

EXHIBIT D Village of Carroll Ohio

Additional Provisions to The International Property Maintenance Code

SECTION302 EXTERIOR PROPERTY AREAS

302.13 STORAGE OF JUNK VEHICLES AND OTHER MOTOR VEHICLES:

DEFINITIONS.

(A) Junk motor vehicles" means any motor vehicle which meets any three of the following

requirements:

- 1. Is five years old or older;
- Is extensively damaged, such as damage including but not limited to any of the following: missing wheels, tires, motor, or transmission;
- 3. Is not able to be legally operated upon a public street, road, or highway for any reason, whether mechanical, operational, or otherwise;
- Does not have validly issued license plates and a valid registration which allows it to be operated legally upon public streets, roads, or highways;
- 5. Has a fair market value of fifteen hundred dollars (\$1,500.00) or less;
- Is not running and not operable ("operable" meaning able to be started and driven under its own power); '
- (B) A junk motor vehicle left in the open for 72 hours is declared a nuisance and shall .be abated in accordance with provisions of this chapter.
- (C) "Motor vehicle" means every vehicle propelled or drawn by power other than muscular power, except motorized bicycles, road rollers, traction engines, power shovels, power cranes, and other equipment used in construction work and not designed for or employed in general highway transportation, holedigging machinery, well-drilling machinery, ditchdigging machinery, farm machinery, and trailers designed and used exclusively to transport a, boat between a place of storage and a marina, or in and around a marina, when drawn to towed on a street or highway for a distance of no more than ten miles

and at a speed of twenty-five miles per hour or less (See ORC. Section 4511.OI(B).

(D) "In the open" shall be defined as not garaged.

PROHIBITONS.

- (A)No person shall willfully permit a junk motor vehicle to remain in the open on private property which the person owns, occupies, or controls after receipt of an order to remove the junk motor vehicle. The order shall state that a hearing appealing the order to remove the junk motor vehicle maybe had, shall describe the vehicle to be removed, and shall be served by a Code Enforcement Officer or Police Officer.
- (B) If any recipient of an order to remove a junk *moto* vehicle shall fails to appeal the same to the Mayor in writing within ten (10) days after the receipt of the order, it shall be conclusively presumed to establish the junk motor vehicle as a nuisance and the junk motor vehicle shall be removed immediately upon order by a code official designated by the Mayor, the Fire Department, Police Department, or their designee. The fact that a junk motor vehicle is left on private property without the filing of an appeal by the recipient of an order to remove a junk motor vehicle is prima face evidence of willful failure to comply with the order.
- (C) No person shall leave a junk motor vehicle for any period of time on private property to which such person does not have the right of possession without the authorization of the person having the right of possession of such property.

COUECTOR'S VEHICLE

A collector's vehicle as defined by O.R.C. Section 4501.01 is a junk motor vehicle for purposes of this section, regardless if it is licensed or unlicensed, if the collector's vehicle meets the definition of a junk motor vehicle as set forth herein.

STORAGE AND DISPOSAL OF JUNK MOTOR VEHICLES.

(A) After a motor vehicle has been determined to be a junk motor vehicle, as provided herein, the Health Department, Fire Department: Code Enforcement Officer, Police Officer, or their designee shall immediately ca1cSe the junk motor vehicle to be removed from the property where the junk motor vehicle is located. The place of storage for any junk motor vehicle which has been removed by this section shall be designated by the Mayor. (B) _Any junk motor vehicle which has been stored by the Police Department pursuant to this chapter, shall be disposed of in accordance with the procedures set forth in O.R.C. Section 4513.63.

APPEALS.

- (A) The Board of Zoning Appeals (BZA) Shall hear any appeals within thirty (30) daysoftl1efilingofan appeal by the recipient of an order to remove a junk motor vehicle left in the open. The BZA shall rule whether or not the motor vehicle is a junk motor vehicle left in the open. If the vehicle is declared by the BZA to be a junk motor vehicle left in the open, the BZ shall order the removal of the particular vehicle by the Police Department.
- (B) Any appeal from a decision of the BZA shall be made pursuant to 0.R.C. Section 2506.

EXCEPTIONS.

This chapter shall not apply to vehicles stored inside a garage, in a licensed towing service, in a licensed motor vehicle salvage facility, in a licensed scrap processing yard, in a licensed auto repair garage yard, in a licensed paint spray shop yard, in a licensed gasoline station yard, or in a licensed vehicle dealership yard, or any other lawful storage area not within the public view as prescribed by O.R.C. Section 4737.09.

PENALTY.

Whoever fails to remove a junk motor vehicle left in the open, after receipt of a proper order to remove the same, shall be subject to the penalties provided here in. Each junk motor vehicle left in the open in violation here of shall constitute a separate offense: Every twenty (20) days that this section is violated shall constitute a separate offense.

EXHIBIT B

Amarda CARROLL, OHIO

Additional Provisions

to International Property Maintenance Code

Ordinance 2016-11 Passed 11-08-2016

SECTION302 . EXTERIOR PROPERTY AREAS

302..10 MISCELLANEOUS PROVISIONS:

- (A) All exterior parts of every dwelling or structure, including exterior walls, parapet walls, decorative additions, chimneys and all other exterior structures, either above or below the roof line, shall be maintained in a safe condition, weather-tight and so as to resist decay or deterioration.
- (B) Any dwelling, structure or accessory building whose exterior surface is bare, deteriorated, ramshackle, tumble-down, decaying, disintegrating or in poor condition shall be repaired or razed.
- (C) All buckled, rotted or decayed walls, doors, windows, porches, floors, steps, railing trim and their missing members shall be replaced and put in good condition. All replacements shall match and conform to current design or be replaced completely.
- (D) All exterior wood or unfinished surface shall be sealed and painted or the surface covered with other protective coating or treated to prevent rot and decay and to conform and match' the existing paint or surface covering and original design or replacement thereof. All exterior walls and surfaces shall be properly protected against the weather where such are defective or lack weather protection, including lack of paint or surface covering or have weathered due to lack of proper protective coating.
- (E) Any dwelling structure or secondary or appurtenant structure whose exterior surface is deteriorated, decaying, disintegrating, or whose exterior surface has weathered with dirt and grime or has been impaired through the peeling or flaking of paint or other protective coating, and which exterior surfaces consist of an area of twenty-five percent (25%) or more of the external surface of the structure, shall be repaired, repainted or recovered with an approved protective coating or surface. All exterior surfaces shall be replaced or repaired in good condition preparatory to painting or coating. All bare exterior surfaces, which are flaking or crumbling shall be replaced or sealed in a good and workmanlike manner. All new or repaired bare surfaces shall be painted or coatedAll exterior surfaces weathered

with dirt or grime, wt1ich are peeling or flaking, shall be painted or covered with approved protective coating or surface.

- (F) All repairs shall be completed in a timely manner consistent with accepted construction practices.
- (G) All dwelling structures and the premises thereof shall be maintained free from sources of breeding, harborage and infestation by insects, vermin or rodents.
- (H) No owner, operator or resident agent of any premises shall maintain or permit to be maintained at or on the exterior areas of any such premises any condition which deteriorates or debases the appearance of the neighborhood, reduces property values in the neighborhood, adversely alters the appearance and general character of the neighborhood, creates a fire, safety or health hazard or .which is a public nuisance. Such conditions include but are not limited to the following.
 - 1. Broken or dilapidated fences, walls or other structures;
 - 2. Out-of-use or non-usable appliances and machinery;
 - Rugs, rags or other materials hung on lines or in other places on the premises, which materials are not being used for general household or housekeeping purposes;
 - 4. Broken, dilapidated or unusable furniture, mattresses or other household furniture, broken glass, plastic materials, paints, miscellaneous coverings and/ or any other materials, including those described in this sectio,1, placed at or on the premises in such a manner as to be patently unsightly, grotest: ue or offensive to the senses;
 - No unregistered motor vehicles and/or junk vehicles shall be parked on any property for more than thirty (30) days;
 - 6. Lawns and landscaping shall be so maintained so as not to constitute a blighting or deteriorating effect on the neighborhood. Grass brush, briers, burrs shall be maintained at a height not to exceed twelve (12) inches. This provision shall not apply to vegetable gardens, bushes, vines, shrubs or trees that produce food for human consumption;
 - 7. No building materials or materials, earth, sand or dirt intended for use in landscaping, gardening or construction shall be left standing open or covered upon any premises for a period of time exceeding two (2) months without specific written authorization from the Village Zoning Department.
 - (I) New construction initiated on the exterior of any structure or surrounding yard, after the effective date of the adoption of this provision, shall be completed within one (I) year. In the event of unforeseeable delays in construction, the Code Enforcement Officer is authorized to extend the one (1) year time period for an additional time period of six (6) months or less.

EXHIBIT C Amenda VILLAGE OF CARROLL, OHIO

Additional Provisions to

International Property Maintenance Code

Section 302 Exterior Property Areas

302.11STORAGE OF CERTAIN MATERIALS DECLARED A NUISANCE:

- (A) Definitions
 - 1. Automobile parts" means and includes any portion or parts of any motor driven vehicle as detached from the vehicle as a whole.
 - 2. Motor vehicle in an inoperative condition" means and includes any sty le or type of motordriven vehicle used or useful for the conveyance of persons or property which is unable to move under its own power due to defective or missing parts, and which have remained in such condition for a period of not less than 30 consecutive days.
 - 3. Motor vehicle unfit for further use" means and includes any style type of motor-driven vehicle used for the conveyance of persons or property, which is in a dangerous condition, has defective or missing parts, or is in such a condition generally as to be unfit for further (1se as a conveyance.
 - Refuse" embraces only such matter as was either in fact noxious or has been refused and abandoned by its owner as worthless.
 - Rubbish" means and includes wire, chips, shavings, bottles, broken glass, crockery, tin, cast or wooden ware, boxes, rags, dead weeds, paper circulars, handbills, boots, shoes, ashes or any waste material other than garbage or offal.
 - Scrap metal" means and includes pieces of or parts of steel, iron, tm, zinc, copper, aluminum, or any alloy thereof, whether covered with porcelain

or any other mate1ial, whether intact or in parts, which has served its usefulness in its original form and can no longer be used or useful for its originally intended purpose.

7. Used building materials" means and includes any materials, such as wood, stone, brick, cement block, asphalt, blacktop, concrete, construction debris, or any composition thereof, used or useful in the erection of any building or structure, which have been used previously for such erection or construction, by the same persons or by any other person.

(B) Storage of Certain Materials Declared a Nuisance.

It shall be unlawful and is hereby declared a nuisance for any reason to store, place or allow to remain, automobile parts, motor vehicles in an inoperative condition, motor vehicles unfit for further use, refuse, rubbish, scrap metal, or used building materials, as defined herein, on any lot,

lots, parts of lots, or parcel of land, within the corporate limits if the Village.

(C) Order for Removal.

- (1) In the event of a violation of division (b) of this section, th1 Mayor or Property Maintenance Code Officer shall give notice to the owner, occupant or person having charge of the premises upon which the violation occurs to cease such violation. Such notice shall be in writing and shall be served upon the owner, occupant or person having charge of the premises either personally or at die usual place of residence of such owner, occupant or person having charge of such premises or by registered or certified mail addressed to such person's last known place of residence.
- (2) If the person served with the notice as provided in division (1) fails to cause such violation to cease within ten days of the date upon which the notice w

issued, he or she shall be subject to the penalties provided herein, and a separate offense shall be deemed committed upon each day during or on which the violation occurs or continues beyond such ten-day period; provided that no additional notice of violation is required to be give n.

(D) Exception

Notwithstanding the provisions of division (b) of this section, it shall not be unlawful for any person to purchase used building materials and place or store them on any lot, lots parts of lots, or parcel of land, when such materials are stored within the confines of a closed garage, or building or are to a used by the purchaser or owner in later construction on the same lot or any lot owned or controlled by such person; provided that such materials shall not remain on the lot, lots, parts of lots, or parcel of land, for a period of more than 30 days, unless the construction or erection planed for the use of the materials has commenced: and provided further that such materials are used mconsumed in the construction or removed from the premises with in a period of four months from the time the materials are first placed on the lot, lots, parts of lots or parcel off and. It shall be unlawful for any person or persons to move any materials so stored or placed to another location within the village for the purpose of avoiding the intent of this section, except that any such materials may be moved to another lot, lots, parts of lots or parcel of land, when the same have been sold to a bona fide purchaser for value for such purchaser's own use.

EXHIBIT D Village of Carroll Ohio

Additional Provisions to The International Property Maintenance Code

SECTION302 EXTERIOR PROPERTY AREAS

302.13 STORAGE OF JUNK VEHICLES AND OTHER MOTOR VEHICLES:

DEFINITIONS.

(A) Junk motor vehicles" means any motor vehicle which meets any three of the following requirements:

- 1. Is five years old or older;
- 2. Is extensively damaged, such as damage including but not limited to any of the following: missing wheels, tires, motor, or transmission;
- 3. Is not able to be legally operated upon a public street, road, or highway for any reason, whether mechanical, operational, or otherwise;
- Does not have validly issued license plates and a valid registration which allows it to be operated legally upon public streets, roads, or highways;
- 5. Has a fair market value of fifteen hundred dollars (\$1,500.00) or less;
- Is not running and not operable ("operable" meaning able to be started and driven under its own power);
- (B) A junk motor vehicle left in the open for 72 hours is declared a nuisance and shall be abated in accordance with provisions of this chapter.
- (C) "Motor vehicle" means every vehicle propelled or drawn by power other than muscular power, except motorized bicycles, road rollers, traction engines, power shovels, power cranes, and other equipment used in construction work and not designed for or employed in general highway transportation, holedigging machinery, well-drilling machinery, ditchdigging machinery, farm machinery, and trailers designed and used exclusively to transport a, boat between a place of storage and a marina, or in and around a marina, when drawn to towed on a street or highway for a distance of no more than ten miles

and at a speed of twenty-five miles per hour or less (See ORC. Section 4511.OI(B).

(D) "In the open" shall be defined as not garaged.

PROHIBITONS.

- (A)No person shall willfully permit a junk motor vehicle to remain in the open on private property which the person owns, occupies, or controls after receipt of an order to remove the junk motor vehicle. The order shall state that a hearing appealing the order to remove the junk motor vehicle maybe had, shall describe the vehicle to be removed, and shall be served by a Code Enforcement Officer or Police Officer.
- (B) If any recipient of an order to remove a junk motor vehicle shall fails to appeal the same to the Mayor in writing within ten (10) days after the receipt of the order, it shall be conclusively presumed to establish the junk motor vehicle as a nuisance and the junk motor vehicle shall be removed immediately upon order by a code official designated by the Mayor, the Fire Department, Police Department, or their designee. The fact that a junk motor vehicle is left on private property without the filing of an appeal by the recipient of an order to remove a junk motor vehicle is prima face evidence of willful failure to comply with the order.
- (C) No person shall leave a junk motor vehicle for any period of time on private property to which such person does not have the right of possession without the authorization of the person having the right of possession of such property.

COUECTOR'S VEHICLE

A collector's vehicle as defined by O.R.C. Section 4501.01 is a junk motor vehicle for purposes of this section, regardless if it is licensed or unlicensed, if the collector's vehicle meets the definition of a junk motor vehicle as set forth herein.

STORAGE AND DISPOSAL OF JUNK MOTOR VEHICLES.

(A) After a motor vehicle has been determined to be a junk motor vehicle, as provided herein, the Health Department, Fire Department: Code Enforcement Officer, Police Officer, or their designee shall immediately cal the junk motor vehicle to be removed from the property where the junk motor vehicle is located. The place of storage for any junk motor vehicle which has been removed by this section shall be designated by the Mayor.

(B) _Any junk motor vehicle which has been stored by the Police Department pursuant to this chapter, shall be disposed of in accordance with the procedures set forth in O.R.C. Section 4513.63.

APPEALS.

(A) The Board of Zoning Appeals (BZA) Shall hear any appeals within thirty (30) daysoftl1efilingofan appeal by the recipient of an order to remove a junk motor vehicle left in the open. The BZA shall rule whether or not the motor vehicle is a junk motor vehicle left in the open.

If the vehicle is declared by the BZA to be a junk motor vehicle left in the open, the BZ shall order the removal of the particular vehicle by the Police Department.

(B) Any appeal from a decision of the BZA shall be made pursuant to 0.R.C. Section 2506.

EXCEPTIONS.

This chapter shall not apply to vehicles stored inside a garage, in a licensed towing service, in a licensed motor vehicle salvage facility, in a licensed scrap processing yard, in a licensed auto repair garage yard, in a licensed paint spray shop yard, in a licensed gasoline station yard, or in a licensed vehicle dealership yard, or any other lawful storage area not within the public view as prescribed by O.R.C. Section 4737.09.

PENALTY.

Whoever fails to remove a junk motor vehicle left in the open, after receipt of a proper order to remove the same, shall be subject to the penalties provided here in. Each junk motor vehicle left in the open in violation here of shall constitute a separate offense. Every twenty (20) days that this section is violated shall constitute a separate offense.

ORDINANCE TO ADOPTING AN UPDATED VERSION OF THE (2018) INTERNATIONAL PROPERTY MAINTENANCE CODE , AS AMENDED, TOGETHER WILL ALL UPDATED REVISIONS OF SAID CODE.

-18

Dayton Legal Blank, Inc.

WHEREAS THE VILLAGE COUNCIL DESIRES TO AMEND ORDINANCE 02-2013 THE INTERNATIONAL PROPERTY MAINTENANCE CODE TO ADD ALL REVISIONS AND UPDATED VERSIONS;

WHEREAS THE VILLAGE COUNCIL DESIRES TO ADOPT THE UPDATED 2018 INTERNATIONAL PROPERTY MAINTENANCE CODE;

WHEREAS THE LEGISLATIVE AUTHORITY DEEMS IT NECESSARY TO ADD ADDITIONAL PROVISIONS TO THE EXISTING CODE IN ORDER TO MAINTAIN THE SAFETY AND WELLBEING OF THE CITIZENS;

NOW THEREFORE, LET IT BE ORDAINED BY THE VILLAGE OF AMANDA, OHIO:

THAT THE VILLAGE COUNCIL AUTHORIZES AMENDMENTS AND MOVES TO ADOPT THE 2018 INTERNATIONAL PROPERTY MAINTENANCE CODE,

THE ORDINANCE SHALL BE IN EFFECT AND BE IN FULL FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW.

Malch More
MAYOR
VOTE: YES 5 NO 6
CARRIEAYERS
FISCAL OFFICER
THE THREE READING REQUIREMENT WAS WAIVED / NOT WAIVED:
5
YEAS: NAYS:
\frown
FISCAL OFFICER
FISCAL OFFICER
THE UNDERSIGNED, FISCAL OFFICER OF THE LEGISLATIVE
AUTHORITY, DOES HEREBY CERTIFY THAT THE FOREGOING
LEGISLATION WAS POSTED IN NOT LESS THAN FIVE (5) PUBLIC
PLACES, AS DETERMINED BY THE LEGISLATIVE AUTHORITY FOR THE
PERIOD OF NOT LESS THAN FIFTEEN (15) DAYS PRIOR TO THE
EFFECTIVE DATE THEREOF.
$C_{1,2}$
FISCAL OFFICER





Nd iner a 02-2018

To: Village Officials Re: Subscription to the Ohio Basic Code, 2018 Edition January 2018

Thank you for your subscription to the *Ohio Basic Code*, 2018 Edition. This model Code of Ordinances has been adopted by the Village as their own Code, and the 2018 Edition replaces any previous editions of the Village Code. Please note, however, that if you have received a looseleaf "Title 17: Municipal Regulations," this **Title 17 is not affected by this 2018 Edition and should be retained**. Please mail any Village ordinances to update your Title 17 to our office at your earliest convenience.

Enclosed you will also find a sample adopting ordinance, a summary of new matter (for publication notification), and a certification of codified ordinances, all provided for your convenience in adopting the *Ohio Basic Code*, 2018 Edition.

We are pleased to provide the *Ohio Basic Code, 2018 Edition*, and we look forward to continuing to serve Ohio villages.

Very truly yours,

Todd Paul Myers, J.D. Vice President, Major Client Services *tmyers@amlegal.com*

CERTIFICATION OF CODIFIED ORDINANCES

We, _____, Mayor, and _____, Clerk of the Legislative Authority, of the Municipality of ______, Ohio, pursuant to Ohio Revised Code §§ 731.23 and 731.42, hereby certify that the general and permanent ordinances of the Municipality, as revised, rearranged, compiled, renumbered as to sections, codified and printed herewith in component codes and titles are correct as and constitute the Code of Ordinances for the Municipality of _____, Ohio.

Mayor

Clerk of the Legislative Authority

ORDINANCE NO. 02.2018

AN ORDINANCE APPROVING, ADOPTING AND ENACTING AMERICAN LEGAL PUBLISHING'S OHIO BASIC CODE, 2018 EDITION, AS THE CODE OF ORDINANCES FOR THE MUNICIPALITY OF $_$ Village of Magazine Ma

WHEREAS, the present general and permanent ordinances of the municipality are inadequately arranged and classified and are insufficient in form and substance for the complete preservation of the public peace, health, safety and general welfare of the municipality and for the proper conduct of its affairs.

WHEREAS, American Legal Publishing Corporation publishes a Code of Ordinances suitable for adoption by municipalities in Ohio.

WHEREAS, it is necessary to provide for the usual daily operation of the municipality and for the immediate preservation of the public peace, health, safety and general welfare of the municipality that this ordinance take effect at an early date.

NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE AUTHORITY OF THE MUNICIPALITY OF Village of france, OHIO:

- Section 1. American Legal Publishing's Ohio Basic Code, 2018 Edition, as reviewed and approved by the Legislative Authority, is hereby adopted and enacted. Any prior version of the Ohio Basic Code which may have been previously adopted by the municipality is hereby repealed as obsolete and is hereby replaced in its entirety by this Ohio Basic Code, 2018 Edition.
- Section 2. One copy of American Legal Publishing's Ohio Basic Code, 2018 Edition, certified as correct by the Mayor and Clerk of the Legislative Authority, as required by Ohio Revised Code § 731.23, shall be kept in its initial form on file in the office of the Clerk of the municipality and retained as a permanent ordinance record of the municipality. The Clerk of the municipality is authorized and directed to publish a summary of all new matters contained in the Code of Ordinances as required by Ohio Revised Code § 731.23. Such summary is attached hereto and marked as "Exhibit A".
- Section 3. All ordinances and resolutions or parts thereof which are in conflict or inconsistent with any provision of the Ohio Basic Code, 2018 Edition, as adopted in Section 1 hereof, are hereby repealed as of the effective date of this ordinance, except as follows:
 - (A) The enactment of the Ohio Basic Code, 2018 Edition, shall not be construed to affect a right or liability accrued or incurred under any legislative provision prior to the effective date of such enactment, or an action or proceeding for the enforcement of such right or liability. Such enactment shall not be construed to relieve any person from punishment for an act committed in violation of any such legislative provision, nor to affect an indictment or prosecution therefor. For such purposes, any such legislative provision shall continue in full force notwithstanding its repeal for the purpose of revision and codification.

- (B) The repeal provided above shall not affect:
 - (1) The grant or creation of a franchise, license, right, easement or privilege;
 - (2) The purchase, sale, lease or transfer of property;
 - (3) The appropriation or expenditure of money or promise or guarantee of payment;
 - (4) The assumption of any contract or obligation;
 - (5) The issuance and delivery of any bonds, obligations or other instruments of indebtedness;
 - (6) The levy or imposition of taxes, assessments or charges;
 - (7) The establishment, naming, vacating or grade level of any street or public way;
 - (8) The dedication of property or plat approval;
 - (9) The annexation or detachment of territory;
 - (10) Any legislation enacted subsequent to the adoption of this ordinance.
 - (11) Any legislation specifically superseding the provision of the Ohio Basic Code.
- Section 4. Whenever reference is made in any documents, publications, or signs of the municipality, including but not limited to traffic tickets and traffic-control signs, to a section as it existed in a former edition of the Ohio Basic Code, the reference shall extend and apply to the section referred to as subsequently amended, revised, recodified, or renumbered.
- Section 5. This ordinance is declared to be an emergency measure necessary for the immediate preservation of the peace, health, safety and general welfare of the people of this municipality, and shall take effect at the earliest date provided by law.

Date

Attest:

Mayor

Clerk of the Legislative Authority

Exhibit A

OHIO BASIC CODE, 2018 EDITION - SUMMARY OF CONTENTS

Notice is hereby given that on the <u>6</u> day of <u>100</u>, 2018, there was enacted by the Legislative Authority of the Municipality of <u>100</u>, Ohio, an ordinance entitled "An Ordinance Approving, Adopting and Enacting American Legal Publishing's Ohio Basic Code, 2018 Edition, as the Code of Ordinances for the Municipality of <u>100</u>, <u>100</u>

A summary of the subjects, including all new matters contained in the Code of Ordinances, as adopted, are as follows. The majority of Basic Code provisions are based directly on state law.

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alt Mous Mayor Signed:

Clerk of the Legislative Authority

Ordinance #4- 2018

Ordinance to Increase Trash Rates

Whereas the legislative authority deems it necessary to increase trash rates.

Whereas the new contract price has increased deeming it necessary to increase rates.

<u>Whereas</u> the legislative authority would like increase residential rates from 13.47 to 15.37 and senior rates from 12.47 to 14.37

<u>Whereas</u> the legislative authority would like increase dumpster rates 2 yd to \$42.00 and 4 yd to \$65.00

Whereas all other trash rates will remain the same.

Now therefore let it be ordained by VILLAGE OF AMANDA, OHIO:

That the village Legislative Authority does hereby pass the trash rates listed above. That this ordinance shall take effect upon the earliest date allowed by law.

and

Mayor Mark A. Moore

Vote _

no

Attest:

Carrie Ayers Fiscal Officer

The three reading requirement was waived hot waived:

yes

Yeas 5 nays

The undersigned, Fiscal Officer of the Legislative Authority, does hereby certify that the foregoing legislation was posted in not less than five (5) public places, as determined by the legislative authority, for a period of not less than fifteen (15) days prior to the effective date thereof.

Fiscal Officer

RECORD OF ORDINANCES

Da	yton Legal Blank, Inc.				Form No. 3
	Ordinance No. 05-2018	-	Passed May	7	_, 20 <u>18</u>
	ORDINANCE TO RES	STRICT PARKING	ON PARTS OF LUT	Z ST.	
Where	as the village legislative authority w	vishes to restrict	parking on the nor	th side of Lutz	St from
Halder	man St to the side doors of Midwes	t Fabricating to	state no parking zo	ne from 7am to	o 2pm.
Where	as the legislative authority deems it	in the best inte	rest of the resident	:S.	
NOW	HEREFORE BE IT ORDAINED BY TH	E VILLAGE OF AI	MANDA, OHIO:	2	
	ne area along side of Midwest Fabric g zone during 7am-2pm from Halder				arking no
That th	is ordinance shall take effect upon	the earliest date	e allowed by law.		
1	NI AM	1			ie.
1	fint 7. 1010.	v Ç			
Mayor N	fark A. Moore	.N			
Vote	5 yes 0	no			
Attest:					
Ce					
Carrie A	vers Fiscal Officer				
7 1. 41					
	e reading requirement was waived not wai	ved:			
Yeas	5 nays				
Very service from the	ersigned, Fiscal Officer of the Legislative Aut five (5) public places, as determined by the				
the effe	tive date thereof.				
C					
Fiscal Of	ficer	-			

66-2018

ORDINANCE TO RAISE EMPLOYEES SALARY

WHERAS the village Legislative Authority give employees a raise.

WHEREAS a 3% increase in wages for salary and hourly employees.

NOW THEREFORE, BE IT ORDAINED BY THE VILLAGE OF AMANDA, OHIO:

That the village council feel a 3% increase in salary is warranted and shall be implemented on the current pay cycle. For hourly and salary employees.

That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

500 111 Mayor Mark A. Moore

Vote: Yes 5 No

Attest:

Carrie Ayers *«* Fiscal Officer

The undersigned, Fiscal Officer of the Legislative Authority, does hereby certify that the foregoing legislation was posted in not less than (5) five public places as determined by the Legislative Authority, for a period of not less than (15) fifteen days prior to the effective date thereof.

Fiscal Officer

ORD# 07-2018

Ordinance to regulate all complaints

Whereas the legislative authority deems it necessary to regulate incoming complaints.

<u>Whereas</u> the legislative authority following legal counsel and Ohio Municipal League advise, would like to require any complaints coming into the village office whether for zoning, property maintenance, or any other village business identify themselves by name and address.

<u>Whereas</u> identifying the complainant can serve to establish that complaints are made in good faith.

Now therefore let it be ordained by VILLAGE OF AMANDA, OHIO:

That the village Legislative Authority does hereby regulate incoming complaints. That all incoming complaints are required to identify themselves by name and address. That this ordinance shall take effect upon the earliest date allowed by law.

Mayor Mark A. Moore no Vote ves Attest:

Carrie Ayers Fiscal Officer

The three reading requirement was waived/not waived:

____nays Yeas

The undersigned, Fiscal Officer of the Legislative Authority, does hereby certify that the foregoing legislation was posted in not less than five (5) public places, as determined by the legislative authority, for a period of not less than fifteen (15) days prior to the effective date thereof.

Fiscal Officer

ORD# 08-2010

Ordinance to regulate all record requests

<u>Whereas</u> the legislative authority deems it necessary to regulate incoming requests as well as public record request.

<u>Whereas</u> the legislative authority following legal counsel and Ohio Municipal League advise, would like to require any requests coming into the village office whether for zoning, property maintenance, or any other village business identify themselves by name and address.

Whereas identifying the requests can serve to establish that request are made in good faith.

Now therefore let it be ordained by VILLAGE OF AMANDA, OHIO:

That the village Legislative Authority does hereby regulate all incoming requests. That all incoming requests are required to identify themselves by name and address. **That** this ordinance shall take effect upon the earliest date allowed by law.

no

al Mayor Mark A. Moore

ves

Vote

Attest:

Carrie Ayers Fiscal Officer

The three reading requirement was waived/not waived:

Yeas

The undersigned, Fiscal Officer of the Legislative Authority, does hereby certify that the foregoing legislation was posted in not less than five (5) public places, as determined by the legislative authority, for a period of not less than fifteen (15) days prior to the effective date thereof.

Fiscal Officer

39.200

Ordinance to Set Garbage Guidelines

Whereas the Village Legislative Authority would like to set guidelines to regulate the garbage collection

Whereas the guidelines will regulate the garbage pick-up dates and times, as well as set limits how much refuse is allowed.

Whereas the guidelines further address required containers, in addition to what items are suitable/not suitable for collection.

Now Therefore let it be ordained by VILLAGE OF AMANDA, OHIO:

That the village Legislative Authority does hereby set Garbage Guidelines set forth in the attached appendix A, to regulate garbage collection.

That this ordinance shall take effect upon the earliest date allowed by law.

Mayor Mark A. Moore no Vote Attest:

Carrie Ayers Fiscal Officer

The three reading requirement was waived/not waived:

Yeas______ nays____

The undersigned, Fiscal Officer of the Legislative Authority, does hereby certify that the foregoing legislation was posted in not less than five (5) public places, as determined by the legislative authority, for a period of not less than fifteen (15) days prior to the effective date thereof.

Fiscal Officer

1 st Readys 2nd Reading

Apperdix A



Village of Amanda 116 E. Main St Box 260 Amanda, Ohio 43102 (740) 969-4771 or fax (740) 969-8105 Email- <u>VillageofAmanda@hotmail.com</u>

Garbage Guidelines

- Garbage is collected 1 day per week on your scheduled pick up day (Tuesday). Selective dumpsters are set up on a 2 day a week pick up the alternate day is (Friday). Pick up times runs between 6 A.M. and 5 P.M.
- Garbage must be set out no earlier than the night before pick-up. Containers are to be removed the same day.
- All garbage must be placed within 5 feet of curb or alley. (Do not block road or sidewalk).
- Major holiday of Thanksgiving and Christmas collection will run one day behind.
- City residents are limited to 8- 45 gallon cans or bags or 2- 96-gallon rollout containers a week. Weighing no more than 50 pounds per container. Excluding yard waste. Cardboard boxes and burning barrels are not acceptable containers. Ashe containers shall be made of metal; ash and rubbish containers shall be of a kind suitable for collection purposes and shall be of such weight that can be handled by one person.
- Home cleanouts are in excess of regular trash service and will be subject to additional charges.
- Brush and tree limbs, carpets, etc. must be bundled and tied in lengths no longer than 3 to 4 feet.
- One large item a month at no cost. Any additional large items will be charged. 24-hour advance notice to notify drivers of large item pick-up.
- Special and Hazardous waste including but not limited to construction material, rocks, dirt, metal pipe, concrete, liquids, paint, batteries, tires, hazardous chemicals, anything with Freon (refrigerators and air conditioners), or any Epa prohibited items will <u>NOT</u> be collected.
- If animals or weather scatter trash from your trash cans it is **NOT** the trash haulers responsibility to clean up, Residents are responsible for cleaning their area. To avoid this make sure all refuse is in a lidded container



January 2019

Re: The Ohio Basic Code, 2019 Edition

Enclosed please find your subscription order for the Ohio Basic Code, 2019 Edition. Please note that the Ohio Basic Code, 2019 Edition, has been designed to replace, in its entirety, any previous editions of the Ohio Basic Code.

We are pleased to provide the *Ohio Basic Code*, 2019 Edition. Should you have any questions, please do not hesitate to contact our office.

Very truly yours,

Jur Par M

Todd Paul Myers, J.D. Vice President, Major Client Services *tmyers@amlegal.com*

ORDINANCE NO.

AN ORDINANCE APPROVING, ADOPTING AND ENACTING AMERICAN LEGAL PUBLISHING'S OHIO BASIC CODE, 2019 EDITION, AS THE CODE OF ORDINANCES FOR THE MUNICIPALITY OF <u>V. Mayor</u>, OHIO, AND DECLARING AN EMERGENCY.

WHEREAS, the present general and permanent ordinances of the municipality are inadequately arranged and classified and are insufficient in form and substance for the complete preservation of the public peace, health, safety and general welfare of the municipality and for the proper conduct of its affairs.

WHEREAS, American Legal Publishing Corporation publishes a Code of Ordinances suitable for adoption by municipalities in Ohio.

WHEREAS, it is necessary to provide for the usual daily operation of the municipality and for the immediate preservation of the public peace, health, safety and general welfare of the municipality that this ordinance take effect at an early date.

NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE AUTHORITY OF THE MUNICIPALITY OF Unloge of Anance, OHIO:

- Section 1. American Legal Publishing's Ohio Basic Code, 2019 Edition, as reviewed and approved by the Legislative Authority, is hereby adopted and enacted. Any prior version of the Ohio Basic Code which may have been previously adopted by the municipality is hereby repealed as obsolete and is hereby replaced in its entirety by this Ohio Basic Code, 2019 Edition.
- Section 2. One copy of American Legal Publishing's Ohio Basic Code, 2019 Edition, certified as correct by the Mayor and Clerk of the Legislative Authority, as required by Ohio Revised Code § 731.23, shall be kept in its initial form on file in the office of the Clerk of the municipality and retained as a permanent ordinance record of the municipality. The Clerk of the municipality is authorized and directed to publish a summary of all new matters contained in the Code of Ordinances as required by Ohio Revised Code § 731.23. Such summary is attached hereto and marked as "Exhibit A".
- Section 3. All ordinances and resolutions or parts thereof which are in conflict or inconsistent with any provision of the Ohio Basic Code, 2019 Edition, as adopted in Section 1 hereof, are hereby repealed as of the effective date of this ordinance, except as follows:
 - (A) The enactment of the Ohio Basic Code, 2019 Edition, shall not be construed to affect a right or liability accrued or incurred under any legislative provision prior to the effective date of such enactment, or an action or proceeding for the enforcement of such right or liability. Such enactment shall not be construed to relieve any person from punishment for an act committed in violation of any such legislative provision, nor to affect an indictment or prosecution therefor. For such purposes, any such legislative provision shall continue in full force notwithstanding its repeal for the purpose of revision and codification.

- (B) The repeal provided above shall not affect:
 - (1) The grant or creation of a franchise, license, right, easement or privilege;
 - (2) The purchase, sale, lease or transfer of property;
 - (3) The appropriation or expenditure of money or promise or guarantee of payment;
 - (4) The assumption of any contract or obligation;
 - (5) The issuance and delivery of any bonds, obligations or other instruments of indebtedness;
 - (6) The levy or imposition of taxes, assessments or charges;
 - (7) The establishment, naming, vacating or grade level of any street or public way;
 - (8) The dedication of property or plat approval;
 - (9) The annexation or detachment of territory;
 - (10) Any legislation enacted subsequent to the adoption of this ordinance.
 - (11) Any legislation specifically superseding the provision of the Ohio Basic Code.
- Section 4. Whenever reference is made in any documents, publications, or signs of the municipality, including but not limited to traffic tickets and traffic-control signs, to a section as it existed in a former edition of the Ohio Basic Code, the reference shall extend and apply to the section referred to as subsequently amended, revised, recodified, or renumbered.
- Section 5. This ordinance is declared to be an emergency measure necessary for the immediate preservation of the peace, health, safety and general welfare of the people of this municipality, and shall take effect at the earliest date provided by law.

Date Passed:

Attest:

Mayor

Clerk of the Legislative Authority

Exhibit A

OHIO BASIC CODE, 2019 EDITION - SUMMARY OF CONTENTS

_, 2019, there was enacted by the Legislative Authority Notice is hereby given that on the <u>'4</u> day of <u>7606</u>, 2019, there was enacted by the Legislative Authority of the Municipality of <u>Villege charge</u>, Ohio, an ordinance entitled "An Ordinance Approving, Adopting and Enacting American Legal Publishing's Ohio Basic Code, 2019 Edition, as the Code of Ordinances for the Municipality of _ "4_ day of Feb V. layo of Aranda, Ohio."

A summary of the subjects, including all new matters contained in the Code of Ordinances, as adopted, are as follows. The majority of Basic Code provisions are based directly on state law.

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Signed:

a Mayor

Clerk of the Legislative Authority

CERTIFICATION OF CODIFIED ORDINANCES

We, <u>Mark A Man</u>, Mayor, and <u>Carre Agen</u>, Clerk of the Legislative Authority, of the Municipality of <u>Willge of Agen</u>, Ohio, pursuant to Ohio Revised Code §§ 731.23 and 731.42, hereby certify that the general and permanent ordinances of the Municipality, as revised, rearranged, compiled, renumbered as to sections, codified and printed herewith in component codes and titles are correct as and constitute the Code of Ordinances for the Municipality of <u>Willge of Amardu</u>, Ohio.

Mayor

Clerk of the Legislative Authority