

June 23, 2016

A Special Meeting of the Bay Village City Council will be held on **Monday, June 27, 2016**, immediately following the Committee Meeting of Council at **7:30 p.m.** in the Council Chambers of Bay Village City Hall, 350 Dover Center Road, to take action on items listed below:

1. Roll Call/Pledge of Allegiance/Dwight Clark, Councilman-at-large
2. Announcements/Audience/Miscellaneous

Mayor Sutherland

Reappointment of Penny Dolski to the Community Services Advisory Board for a three-year term expiring June 30, 2019

Reappointment of Jeff Foster to the Planning Commission for a five-year term ending August 29, 2021.

3. Motion to approve the minutes of the Regular Meeting of Council held June 20, 2016.

Clark

4. Ordinance 16-48 amending Section 1 of Ordinance 15-64 regarding rates of compensation for the officers and employees of the General Administration Department and those employees of the City not covered by separate labor contract for the Calendar Year 2016 and thereafter, and declaring an emergency.***Clark*** (Third Reading and Consideration for Adoption) (First Reading 6-13-16) (Second Reading 6-20-16)

5. Ordinance 16-49 amending Chapter 1351 “Determination of Grade Lines.***Vincent*** (Third Reading and Consideration for Adoption) (First Reading 6-13-16) (Second Reading 6-20-16)

6. Ordinance No. 15-79 amending Codified Ordinance Section 1158 regarding Attached Residence District, and declaring an emergency. ***Vincent***(Third Reading and Consideration for Adoption) (First Reading 11-16-15) (Second Reading 6-20-16)

7. Ordinance No. 16-50 amending Codified Ordinance 521.12 regarding garbage or rubbish deposit and collection, and declaring an emergency***Vincent***(Second Reading) (First Reading 6-20-16)

8. Resolution supporting development of a Comprehensive Deer Population Management Plan for the City of Bay Village***Vincent***

9. Ordinance amending Codified Ordinance Section 1373.01, Storage in Front of Building Line; Exceptions, and declaring an emergency***Vincent***

10. Motion confirming the reappointment by Mayor Sutherland of Penny Dolski to the Community Services Advisory Board for a three-year term expiring June 30, 2019***Vincent***

11. Motion confirming the reappointment by Mayor Sutherland of Jeff Foster to the Planning Commission for a five-year term ending August 29, 2021.***Vincent***

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12. Motion to convene to Executive Session: Personnel: Administrative Compensation; Contracts: SAFEbuilt, Inc. and Republican National Convention (RNC) Operational. ***Clark***

13. Adjournment

Charter Reference 2.11

Paul A. Koomar, President of Council

Agenda
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Procedure

Section 2.14 - Effective Date
C.O. 111.10 - Council Rules for Legislation

Roll call on suspension of Charter Rules:

Every ordinance or resolution shall be read on three different days unless two-thirds (2/3) of the total number of Council members provided for in this Charter dispense with the rules.

Roll call on suspension of Council Rules:

No ordinance or resolution shall be passed unless a written copy thereof is before the Council ...at least 24 hours before any meeting of Council at which action...is contemplated.

Roll call on inclusion of the emergency clause:

All ordinances and resolutions shall become effective forty (40) days after their passage by Council unless a later effective date is set forth or an earlier date is established. Resolutions to initiate any public improvement shall become effective immediately upon their passage and approval by the Mayor.

It is required that two-thirds (2/3) of the total number of Council members provided for by this Charter vote affirmatively to enact with the emergency provisions. This clause allows legislation to become effective immediately upon passage and approval by the Mayor.

NOTE: Regular and Special Meetings of Council are scheduled for 8:00 p.m. However, Council generally meets informally at 7:30 p.m. prior to a Regular or Special meeting, and said portion, usually held in the conference room, is open to the public.

CITY OF BAY VILLAGE

Council Minutes, Regular Meeting
Council Chambers 9:05 p.m.

June 20, 2016

Paul A. Koomar, President of Council, presiding

Present: Henderson, Koomar, Mace, Tadych, Vincent, Mayor Sutherland

Excused: Mr. Clark, Mrs. Lieske

Also Present: Law Director, Ebert, Finance Director Mahoney, Director of Community Services Selig, Director of Public Safety/Service Thomas, Police Chief Spaetzel, Fire Chief Lyons, Chief Building Official of SAFEbuilt, Inc., John Cheatham, Director of Operations Landers.

Mr. Koomar called the Regular Meeting of Council to order at 9:05 p.m. in the Council Chambers of Bay Village City Hall, with roll call and the Pledge of Allegiance led by Councilman Tom Henderson, Ward 4.

Following the roll call, Mr. Koomar called for a reading of the Minutes of the Special Meeting of Council held June 13, 2016. Mr. Tadych **MOVED** to dispense with the reading and accept the minutes of the Special Meeting of Council held June 13, 2016 as prepared and distributed. Motion carried 5-0. Mr. Koomar called for a reading of the Minutes of the Meeting of the Cahoon Memorial Park Trustees held June 13, 2016. Mr. Tadych **MOVED** to dispense with the reading and accept the minutes of the Cahoon Memorial Park Trustees as prepared and distributed. Motion carried 6-0.

ANNOUNCEMENTS

Mayor Sutherland reminded everyone that there is a Master Plan Visioning Committee Meeting on Tuesday, June 28, 2016 at 7 p.m. at the Dwyer Memorial Center.

The Mayor announced that First Energy has sent notification that they are going to conduct a planned electrical outage on Wednesday, June 22 for need worked on Lincoln, Marygate, Lindford, Welshire, Debbington and Buchanen Drives from approximately 8 a.m. to 2 p.m. In the event of inclement weather, the planned outage will be rescheduled for Thursday, June 23, 2016. The Illuminating Company thanks everyone for their patience and understanding while they perform this work to improve electric service and reliability. Residents are being notified by telephone by First Energy.

Mr. Koomar asked Mayor Sutherland if the survey regarding the Cahoon Memorial Park Connectivity Study will be sent out to residents via email blast by the Mayor's office. Mayor Sutherland stated that she will check with her assistant who may have sent them out last week.

REPORTS

Law Director Ebert had no report this evening.

Finance Director Mahoney had no report this evening.

Public Safety/Service Director Thomas had no report this evening.

Director of Community Services Selig had no report this evening.

Police Chief Spaetzel had no report this evening.

Fire Chief Lyons reported that the Annual Open House for the Fire Department was held Saturday, June 18, 2016, and expressed appreciation to the Destination Bay Team, the Service Department who assisted in getting the Fire Station ready, and the members of the Fire Department, both on-duty and off-duty. Chief Lyons thanked the community for supporting this event.

Mr. Koomar stated that the Annual Fire Department Open House was very well attended and the Fire Department did a very nice job making a lot of children happy.

Mr. Vincent stated that he visited the Fire Department Annual Open House with his daughter who loved the event. Mr. Vincent noted that it just keeps getting better every year.

AUDIENCE

The following audience members signed in this evening: Lydia DeGeorge, Dick Majewski, Suzanne Graham, Tara Wendell, Emily Taylor, Claire Banasiak.

There were no comments from the audience this evening.

ENVIRONMENT, SAFETY AND COMMUNITY SERVICES COMMITTEE

Mr. Vincent had no report this evening.

FINANCE AND CLAIMS

Mr. Tadych read, by title only, **Resolution No. 16-39** adopting a Tax Budget for the City of Bay Village for the Fiscal Year beginning January 1, 2017, submitting same to the County Fiscal Officer, and declaring an emergency (Second Reading 6-13-16) (First Reading 6-6-16), and moved for adoption.

There being no further discussion, Mr. Koomar called for a vote on the motion for adoption of Resolution No. 16-39.

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Roll Call on Use of the Emergency Clause:

Yeas- Henderson, Koomar, Mace, Tadych, Vincent

Nays -None

Roll Call on Adoption:

Yeas- Henderson, Koomar, Mace, Tadych, Vincent

Nays-None.

Mr. Koomar announced adoption of Resolution No. 16-39, an emergency measure, by a vote of 5-0.

Mr. Tadych read, by title only, **Resolution No. 16-40** certifying unpaid tree removal charges to the Cuyahoga County Fiscal Officer for collection, and declaring an emergency. (Second Reading 6-13-16) (First Reading 6-6-16), and moved for adoption.

There being no further discussion, Mr. Koomar called for a vote on the motion for adoption of Resolution No. 16-40.

Roll Call on Use of the Emergency Clause:

Yeas-Koomar, Mace, Tadych, Vincent, Henderson

Nays -None

Roll Call on Adoption:

Yeas-Koomar, Mace, Tadych, Vincent, Henderson

Nays-None.

Mr. Koomar announced adoption of Resolution No. 16-40, an emergency measure, by a vote of 5-0.

Mr. Tadych read, by title only, **Resolution No. 16-41** certifying unpaid sidewalk repair and/or construction charges to the Cuyahoga County Fiscal Officer for collection, and declaring an emergency. (Second Reading 6-13-16) (First Reading 6-6-16), and moved for adoption.

There being no further discussion, Mr. Koomar called for a vote on the motion for adoption of Resolution No. 16-41.

Roll Call on Use of the Emergency Clause:

Yeas- Mace, Tadych, Vincent, Henderson, Koomar

Nays -None

Roll Call on Adoption:

Yeas-Mace, Tadych, Vincent, Henderson, Koomar

Nays-None.

Mr. Koomar announced adoption of Resolution No. 16-41, an emergency measure, by a vote of 5-0.

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Mr. Tadych read, by title only, **Resolution No. 16-42** certifying unpaid sewer rental and refuse collection charges to the Cuyahoga County Fiscal Officer for collection, and declaring an emergency. (Second Reading 6-13-16) (First Reading 6-6-16), and moved for adoption.

There being no further discussion, Mr. Koomar called for a vote on the motion for adoption of Resolution No. 16-42.

Roll Call on Use of the Emergency Clause:

Yeas- Tadych, Vincent, Henderson, Koomar, Mace

Nays -None

Roll Call on Adoption:

Yeas–Tadych, Vincent, Henderson, Koomar, Mace

Nays–None.

Mr. Koomar announced adoption of Resolution No. 16-42, an emergency measure, by a vote of 5-0.

Mr. Tadych read, by title only, **Resolution No. 16-43** certifying unpaid grass cutting and cleaning charges to the Cuyahoga County Fiscal Officer for collection, and declaring an emergency. (Second Reading 6-13-16) (First Reading 6-6-16), and moved for adoption.

Mr. Tadych asked the cost for the residents to add these charges to their tax duplicate. Finance Director Mahoney stated that Cuyahoga County charges one percent of the charge being certified.

There being no further discussion, Mr. Koomar called for a vote on the motion for adoption of Resolution No. 16-43.

Roll Call on Use of the Emergency Clause:

Yeas- Vincent, Henderson, Koomar, Mace, Tadych

Nays -None

Roll Call on Adoption:

Yeas–Vincent, Henderson, Koomar, Mace, Tadych

Nays–None.

Mr. Koomar announced adoption of Resolution No. 16-43, an emergency measure, by a vote of 5-0.

Mr. Tadych read, by title only, **Ordinance No. 16-44** enacting revised Codified Ordinance Chapter 151 entitled Employment Provisions. (Second Reading 6-13-16) (First Reading 6-6-16), and moved for adoption.

Mr. Henderson commented that there is a typographical error in Section 151.18 Drug Free Workplace, with an unnecessary notation of “40.01.”

Mr. Tadych stated that the ordinance is amended by reading.

Mr. Henderson reiterated his comments made during the Council Committee Meeting held earlier this evening. He would like to refer to the Mayor to update the City's Drug Free Workplace Program and Policy to not permit the use, possession, or distribution of Medical Marijuana by a City of Bay Village employee. The Mayor stated that it will be done.

There being no further discussion, Mr. Koomar called for a vote on the motion for adoption of Ordinance No. 16-44.

Roll Call on Use of the Emergency Clause:

Yeas- Henderson, Koomar, Mace, Tadych, Vincent

Nays -None

Roll Call on Adoption:

Yeas- Henderson, Koomar, Mace, Tadych, Vincent

Nays-None.

Mr. Koomar announced adoption of Ordinance No. 16-44, as amended, an emergency measure, by a vote of 5-0.

Mr. Tadych read, by title only, **Ordinance 16-48** amending Section 1 of Ordinance 15-64 regarding rates of compensation for the officers and employees of the General Administration Department and those employees of the City not covered by separate labor contract for the Calendar Year 2016 and thereafter, and declaring an emergency. (First Reading 6-13-16)

Mr. Koomar announced that Ordinance No. 16-48 is placed on second reading.

PLANNING, ZONING, PUBLIC BUILDINGS AND GROUNDS COMMITTEE

Mr. Vincent read, by title only, **Ordinance 16-49** amending Chapter 1351 "Determination of Grade Lines. (Second Reading) (First Reading 6-13-16)

Mr. Koomar announced that Ordinance No. 16-49 is placed on second reading.

Mr. Vincent read, by title only, **Ordinance No. 15-79** amending Codified Ordinance Section 1158 regarding Attached Residence District, and declaring an emergency. (Second Reading) (First Reading 11-16-15).

Mr. Koomar announced that Ordinance No. 15-79 is placed on second reading.

Ordinance amending Codified Ordinance 1373.01 regarding storage in front of building line; exceptions, and declaring an emergency was held pending modifications.

Mr. Vincent introduced and read, by title only, **Ordinance 16-50** amending Codified Ordinance 521.12 regarding garbage or rubbish deposit and collection, and declaring an emergency (First Reading)

Mr. Koomar announced that Ordinance No. 16-50 is placed on first reading.

PUBLIC IMPROVEMENTS/STREETS/SEWERS/DRAINAGE COMMITTEE

Mr. Henderson introduced and read **Resolution 16-51** ordering the repair of the Public Sidewalks abutting certain premises in the City of Bay Village, and declaring an emergency. Mr. Henderson reiterated his comments at the Committee meeting this evening regarding his suggestion that the word “interest” be changed to “fee” and it is his opinion that ten percent is too high. Mr. Henderson’s recommendation is that the administration consider lowering that to at least five percent. Mr. Henderson **MOVED** for adoption of Resolution No. 16-51.

Mr. Mace asked that Council be informed as to the decrease in the amount of the ten percent “interest” or “fee” as suggested by Mr. Henderson. Mr. Ebert stated that an email communication will be sent to Council prior to the letter being sent to the residents so that everyone is in agreement. Mr. Henderson stated that this is acceptable to him because the fee is not referenced in the resolution. It is a letter that the administration sends out.

Roll Call on Suspension of the Charter Rules:

Yeas- Koomar, Mace, Tadych, Vincent, Henderson

Nays -None

Roll Call on Suspension of the Council Rules:

Yeas – Koomar, Mace, Tadych, Vincent, Henderson

Nays – None.

Roll Call on Use of the Emergency Clause:

Yeas- Koomar, Mace, Tadych, Vincent, Henderson

Nays -None

Roll Call on Adoption:

Yeas–Koomar, Mace, Tadych, Vincent, Henderson

Nays–None.

Mr. Koomar announced adoption of Resolution No. 16-51, as amended, an emergency measure, by a vote of 5-0.

RECREATION AND PARK IMPROVEMENTS COMMITTEE

Mr. Mace had no report this evening.

SERVICES, UTILITIES AND EQUIPMENT COMMITTEE

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Mr. Tadych reminded everyone of the joint Finance Committee-Services Utilities and Equipment Committee meeting to be held Thursday, June 30, 2016 at 6:30 p.m. in the conference room of Bay Village City Hall.

MISCELLANEOUS

Motion by **Mr. Tadych** to adjourn regular meetings of Bay Village City Council for the months of July and August in accordance with Bay Village City Charter Provision No. 2.10. Special Meetings will be called as necessary.

Motion carried 5-0.

Mr. Tadych further **MOVED** not to convene to Executive Session this evening.

Motion carried 5-0.

There being no further business to discuss, the meeting adjourned at 9:32 p.m.

Paul A. Koomar, President of Council

Joan Kemper, Clerk of Council

ORDINANCE NO. 16-48
INTRODUCED BY: Mr. Clark

First Reading 6-13-16
Second Reading 6-20-16

AN ORDINANCE
**AMENDING SECTION 1 OF ORDINANCE 15-64 REGARDING RATES OF
COMPENSATION FOR THE OFFICERS
AND EMPLOYEES OF THE GENERAL ADMINISTRATION DEPARTMENT AND
THOSE EMPLOYEES OF THE
CITY NOT COVERED BY SEPARATE LABOR CONTRACT FOR THE CALENDAR
YEAR 2016 AND THEREAFTER,
AND DECLARING AN EMERGENCY.**

BE IT ORDAINED by the Council of the City of Bay Village, Ohio:

SECTION 1. That January 1, 2016 the compensation to be paid to the officers and employees of the GENERAL ADMINISTRATION DEPARTMENT and those employees not covered by separate labor contract shall be:

	September 29, 2015 and thereafter	January 1, 2016 and Thereafter
1. Director of Finance	\$93,386	\$95,254
2. Assistant Finance Director	\$67,713	\$69,067
3. Accounts Payable Coordinator	\$17.57 – \$20.12 per hour	\$17.92 – \$20.52 per hour
4. Part-time Human Resources Administrator	28.00	28.56 per hour
5. Part-time Clerical	\$11.68 – \$15.91 per hour	\$11.91 – \$16.23 per hour
6. Director of Law	\$72,296	\$73,742
7. Prosecutor	\$33,922	\$34,600
8. Dir. Public Service & Properties	\$90,515	\$92,325
9. Public Works Supervisor of Operations	\$75,485	\$76,995
10. Public Works Supervisor	\$70,000	\$71,400
11. Sewer Maintenance Supervisor	\$61,160	\$62,383
12. Infrastructure Manager	\$64,260	\$65,545
13. Property Maintenance Inspector	\$59,160	\$60,343

14. Projects Coordinator	\$30.60 per hour	\$31.21 per hour
15. Part-time	\$8.10 – \$17.22 per hour	\$8.10 – \$17.56 per hour
16. Seasonal	\$8.10– \$16.64 per hour	\$8.10 – \$16.97 per hour
17. Director of Recreation	\$73,361	\$73,361
18. Asst. Recreation Director	\$43,135	\$45,292
19. Assistant to Mayor	\$45,509	\$46,419
20. Clerk of Council	\$50,210	\$51,214
21. Fire Chief	\$100,864	\$102,881
22. Police Chief	\$100,864	\$102,881
23. Deputy Police Officer		
Start	\$22.88 per hour	\$23.34 per hour
After 2080 hours	\$25.43 per hour	\$25.94 per hour
After 4160 hours	\$28.82 per hour	\$29.40 per hour
After 6240 hours	\$32.83 per hour	\$33.49 per hour
24. School Guard	\$9.61 – \$14.17 per hour	\$9.61 – \$14.45 per hour
25. Jailer/Matron	\$14.17 per hour	\$14.45 per hour
26. Full time Dispatch	\$17.50-22.00 per hour	\$17.50-22.00 per hour
27. Part time Dispatch	\$15.75-19.80 per hour	\$15.75-19.80 per hour
28. Director of Community Services	\$59,160	\$60,343
29. Assistant Director of Community Services	\$35,700	\$36,414
30. Senior Van Driver	\$8.94 – \$12.55 per hour	\$8.94 – \$12.80 per hour

31. Safety Director	\$5,000	\$5,000
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The individual who may serve pro-tem as Secretary to Council or as Secretary to Planning Commission, Board of Zoning Appeals, Recreation Commission, Civil Service Commission, Architectural Board of Review, Tree Commission or Charter Review Committee shall be paid fifty dollars (\$50.00) for the first two hours of attendance and his or her hourly rate thereafter per regular or special meeting attended in lieu of wages.”

and present Section 1 of Ordinance 15-64 is hereby repealed.

SECTION 2. That it is found and determined that all formal actions concerning and relating to the adoption of this ordinance were adopted in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 3. That this ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare, and for the further reason that it is necessary to provide for compensation in conformance with agreements reached during labor negotiations and to secure adequate personnel for the City’s needs, wherefore this ordinance shall be in full force and take effect immediately upon its passage and approval by the Mayor.

PASSED:

PRESIDENT OF COUNCIL

CLERK OF COUNCIL

APPROVED:

MAYOR

AN ORDINANCE

AMENDING CHAPTER 1351 “DETERMINATION OF GRADE LINES”

BE IT ORDAINED by the Council of the City of Bay Village, Ohio:

SECTION 1. That the Codified Ordinances of the City of Bay Village are hereby Amended by enacting revised Chapter 1351 to read as follows:

**CHAPTER 1351
Determination of Grade Lines**

- 1351.01 Natural grade and finished grade defined.**
- 1351.02 Fee for determining grades.**
- 1351.03 Grade lines.**
- 1351.04 Director of Public Service and Properties to establish grades.**
- 1351.05 Grade line permits.**
- 1351.06 Drainage of surface water.**
- 1351.07 Positive drainage to be provided; nuisances abated.**
- 1351.08 Drainage protection to adjoining lots.**
- 1351.99 Penalty.**

1351.01 NATURAL GRADE AND FINISHED GRADE DEFINED.

For the purposes of this chapter the following terms, phrases, words and their derivatives shall have the meaning given in this section:

- (a) “Natural grade” is the elevation of the undisturbed natural surface of the ground.
- (b) “Finished grade” is the elevation of the finished surface, in its slope in reference to a horizontal plane of the ground adjoining any structure.

(Ord. 01-24. Passed 3-5-01.)

1351.02 FEE FOR DETERMINING GRADES.

No person shall be issued a building permit for any new structure whatsoever until a fifty-five dollar (\$55.00) fee is paid to the Building Director to cover costs in determining, reviewing or ~~and~~ fixing grades.

~~(Ord. 01-24. Passed 3-5-01.)~~

1351.03 GRADE LINES.

No building permit shall be issued until grade lines have been determined or reviewed by the Director of Public Service and Properties and established and indicated on the plans submitted; provided, however, no grade line permit shall be necessary nor shall a fee be charged therefor when the work called for in the application for a building permit either (i) consists entirely of interior work to an existing structure; or (ii) consists of exterior work to an existing structure or the construction of a building accessory to an existing main use when, in the opinion of the Director of Public Service and Properties, such work does not require the setting of a grade line different from the grade line already established.

~~(Ord. 01-24. Passed 3-5-01.)~~

1351.04 DIRECTOR OF PUBLIC SERVICE AND PROPERTIES TO ESTABLISH GRADES.

(a) The Director of Public Service and Properties shall be charged with the duty and final determination of natural grade lines and shall review or establish grade lines for all streets, sidewalks, boulevard, sanitary and storm sewers and structures of every kind and description.

(b) ~~The Director of Public Service and Properties shall be responsible for performing an inspection of the finished foundation to determine compliance with ground grade prior to framing. (Ord. 01-24. Passed 3-5-01.)~~ Prior to requesting a footer inspection and Certificate of Occupancy, the builder or owner shall request verification of the bottom of footer elevation and finished ground grade, to be certified by the City's engineer that the grade complies with the submitted plot plan.

(c) All grade sheet/plot plans shall be based on the natural grade found on the existing lot and shall remain consistent with the grade on adjoining lots. Finished grade at the foundation of new structures shall not be set in excess of 6" higher than the highest elevation existing at the lot lines on adjoining lots. If existing grades of adjoining lots are at different elevations, grade for subject lot will be set at the average height of the adjoining lots. Any changes to approved grade plan must be submitted for review prior to commencing construction. Exceptions will be made in extreme situations if surface run-off can be maintained on this lot and conveyed to the storm sewer or natural watercourse, without creating a nuisance per 1351.08.

The required plot plans shall show natural grade elevations along property lines at 25' intervals, location of all structures and corresponding elevations of its foundation components, yard drain locations, swales and drainage direction lines. In the case of minor subdivisions, drainage plans, for all lots, must be submitted and reviewed prior to issuance of a building permit for any of the lots.

Final finished grade shall comply with 1351.06, 1351.07 and 1351.08.

1351.05 GRADE LINE PERMITS.

(a) Permit Required. A grade line permit must be obtained from the Building Director by any person before said person or another, (i) begins construction of a new sidewalk, curb, curb-cut, driveway or driveway apron, or (ii) before any existing sidewalk, curb-cut, driveway or driveway apron is altered or repaired, where, as a result of such alteration or repair, the grade line as set by the City, or the existing grade line where no grade line has been set, will be changed.

(b) Application. An applicant for a permit hereunder shall file with the Building Director an application showing:

- (1) Name and address of the owner;
- (2) Name and address of the party doing the work;
- (3) Location of the work area;
- (4) Attached plans showing details of the proposed alteration;

(5) Such other information as the Building Director shall find reasonably necessary to the determination of whether a permit should be issued hereunder.

(c) Issuance. Such permit shall be issued upon the filing of the application required in subsection (b) above and the payment of a fee of fifty-five dollars (\$55.00), and the determination of the Director of Public Service and Properties as to the proper grade line. (Ord. 01-24. Passed 3-5-01.)

1351.06 DRAINAGE OF SURFACE WATER.

(a) Whenever the surface of a lot or plot, or portion thereof, is excavated, filled, graded or hard-surfaced with impervious material, positive drainage shall be provided so that a nuisance will not be created.

(b) Catch basins properly connected to storm sewer or other approved provisions, such as underdrains, shall be made where water may pocket, to preclude the accumulation of surface water.

(c) Existing natural ground drainage of the ground area surrounding the lot or plot excavated, filled or graded shall not be impeded.

(d) Surface water shall not be drained onto adjacent properties. ~~not in the same ownership without written permission from the owner of the adjacent property.~~

(e) When a lot or section of ground is graded, it shall be incumbent upon the owner of such lot to provide that the lot is graded to the natural grade of the lots adjoining such lot, on both sides, and to the lot in the rear of such lot and, in such a manner, that surface water does not drain onto the aforesaid adjoining lots or lands.

~~(Ord. 01-24. Passed 3-5-01.)~~

1351.07 POSITIVE DRAINAGE TO BE PROVIDED; NUISANCES ABATED.

No condition shall be created nor any existing condition maintained whereby there will be upon any lot or plot excavations, depressions, pits, holes, gullies or similar depressions which may accumulate and retain surface water and which may become a public hazard or nuisance. Any such condition shall be properly abated and protected by filling or by providing positive drainage.

(Ord. 01-24. Passed 3-5-01.)

1351.08 DRAINAGE PROTECTION TO ADJOINING LOTS.

When it is found necessary to grade a lot higher or lower finished grade than the natural grade of adjoining property on the sides and to the rear of such lot, it shall be incumbent upon the owner of the lot to get permission from the Director of Public Service and Properties to change to a higher or lower finished grade. It shall be further incumbent upon the owner of the lot to provide suitable retaining walls or other approved protection on his property to protect the adjacent property from the drainage of surface and sub-surface waters and further to protect the adjacent property from caving of earth and to assist in the maintaining of the existing natural grade of such adjacent property.

(Ord. 01-24. Passed 3-5-01.)

1351.99 PENALTY.

(a) Whoever violates any provisions of this chapter or fails to conform to the grade line set or reviewed by the Director of Public Service and Properties shall be deemed guilty of a ~~minor~~ fourth degree misdemeanor.

(b) Each day such violation is committed or permitted to continue shall constitute a separate offense. (~~Ord. 01-24. Passed 3-5-01.~~)

SECTION 2. That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and of any committee that resulted in those formal actions were in meetings open to the public in compliance with law.

SECTION 3. That this ordinance will be in full force and take effect at the earliest time permitted by law.

PASSED:

PRESIDENT OF COUNCIL

CLERK

MAYOR

4/5/16 LL

ORDINANCE NO. 15-79
INTRODUCED BY: Mrs. Lieske _____

First Reading 11-16-15
Second Reading 6-20-16

AN ORDINANCE
AMENDING CODIFIED ORDINANCE SECTION 1158
REGARDING ATTACHED RESIDENCE DISTRICT, AND
DECLARING AN EMERGENCY

SECTION 1. That Codified Ordinance Section 1158 which presently reads as follows:

CHAPTER 1158
Attached Residence District

- 1158.01 Intent.
- 1158.02 Development plans.
- 1158.03 Building and occupancy permits.
- 1158.04 Permitted buildings, structures and uses.
- 1158.05 Accessory buildings, structures and uses.
- 1158.06 Definitions.
- 1158.07 Area and height regulations.
- 1158.08 Yard and related requirements.
- 1158.09 Parking requirements.
- 1158.10 Street and access requirements.
- 1158.11 Open space requirements.
- 1158.12 Landscape planting and design.
- 1158.13 Other site improvements.
- 1158.14 Maintenance and use of public and common areas.
- 1158.15 Solid waste disposal.
- 1158.16 Compliance with code.

1158.01 INTENT.

An Attached Residence District and its regulations are established in order to achieve, among others, the following purposes:

- (A) To regulate bulk and location of buildings in relation to the land in order to obtain proper light, air, privacy and usable open spaces on each zoning lot appropriate for the district; and
- (B) To regulate density and distribution of population in accordance with a plan to avoid congestion and to maintain adequate services; and
- (C) To protect the desirable characteristics of both existing and planned residential development, to maintain stability; and
- (D) To promote the most desirable and beneficial use of the land based on the Master Plan and directed to bring about the eventual conformity with said Master Plan as it may be amended.

(Ord. 74-51. Passed 7-1-74.)

1158.02 DEVELOPMENT PLANS.

Preliminary and final development plans shall be required for all proposed development in an Attached Residence District.

(A) Preliminary Plans:

(1) Plan Requirements:

- (a) Survey. A survey of the property and topography, showing the land owned and proposed for development.
- (b) Buildings. The locations, size, height and use of all main and accessory buildings and their general design and color.
- (c) Streets. The proposed pattern of vehicular circulation, including estimated traffic volumes, service access and relationship to existing streets.
- (d) Utilities. Evidence of adequacy of all required utilities and services.
- (e) Parking. General layout and estimate of spaces provided, both open and enclosed.
- (f) Miscellaneous. Other site improvement, including general drainage pattern.

(2) Submittal of Plans:

- (a) Presentation of preliminary plans shall be made concurrently with the Building Department (to file an application for construction) and to the Planning Commission.
- (b) A nonreturnable application fee in the amount of \$10 per dwelling unit shall accompany application in the Building Department.
- (c) Planning Commission shall submit plans to the appropriate departments within the City for their comments, i. e. Fire, Police and Service.

(3) Approval of Plans:

- (a) If preliminary plans are not acceptable to the Planning Commission, based on the requirements and intent of this chapter, a revised preliminary may be submitted.
- (b) If preliminary or revised preliminary plans are acceptable to the Planning Commission with slight modification, final plans, including such modifications, may be submitted.

(B) Final Development Plans:

(1) Plan Requirements:

- (a) Site Plan. All items submitted for preliminary approval, with modifications as requested.
- (b) Utilities Plan. Detailed drawings of all required utilities, including water, sewers and underground electric and telephone systems.
- (c) Fire Protection Plan. Water mains, hydrants and other appurtenances.
- (d) Landscape Plan. Landscaping, buffers, drainage and grading.
- (e) Miscellaneous. Construction schedule and disposition program and any other information specifically required by the Planning Commission.

(2) Submittal of Plans:

- Commission.
- (a) Presentation of final plans shall be made to the Planning Commission.
 - (b) Planning Commission shall submit plans to the appropriate departments within the City for their comments, i. e., Fire, Police, Service, and Building
 - (c) When development given preliminary approval is to be constructed in two or more phases, final plans shall be submitted separately for each phase, prior to scheduled construction.
- (3) Approval of Plans:
- (a) If final plans are not acceptable to the Planning Commission, based upon the requirements and intent of this chapter, revised final plans may be submitted.
 - (b) Only when final or revised final plans are acceptable to the Planning Commission without modification, shall final approval be given.
- (Ord. 74-51. Passed 7-1-74.)

1158.03 BUILDING AND OCCUPANCY PERMITS.

(A) No building permit for the improvement of a parcel or a portion thereof or for the erection of any building shall be issued for any building or structure in an Attached Residence District unless and until a final development plan has been approved by the Planning Commission in accordance with the provisions of this Chapter. If and when any proposed final development plan has been so approved, the Building Commissioner shall then issue the necessary building and other permits upon payment of the required fees and compliance with applicable codes.

(B) An occupancy permit shall be issued by the Building Commissioner if the use qualifies under the various restrictions of the Planning and Zoning Code and the inspections required by Chapter 1304 of the Codified Ordinances have been made and the work approved.

(C) Occupancy permits will not be granted until all required improvements, including landscaping, are completed in compliance with this chapter.

(Ord. 74-51. Passed 7-1-74.)

1158.04 PERMITTED BUILDINGS, STRUCTURES AND USES.

In an Attached Residence District, the following buildings, structures and uses are permitted: Attached Residences including townhouses, four-plexes and other multiple dwellings having separate private entrances.

(Ord. 74-51. Passed 7-1-74.)

1158.05 ACCESSORY BUILDINGS, STRUCTURES AND USES.

The following accessory buildings, structures and uses are permitted on a lot in the Attached Residence District:

- (A) Automobile storage facilities including enclosed garages.
- (B) Recreation facilities, such as swimming pools, sauna baths and tennis courts, for the exclusive use of residents and their guests.
- (C) Landscape features including gardens, fountains, sidewalks, lawns, patios, decorative walls and fences.

(D) Master radio and television antenna, air conditioning and ventilation equipment and necessary utility equipment as permitted under this chapter.

(E) Any building, structure or use customarily accessory or incidental to a permitted use, on special permit.

(Ord. 74-51. Passed 7-1-74.)

1158.06 DEFINITIONS.

The various area and height regulations of the area to be developed are defined in this section and scheduled in the following section.

(A) Land Area Per Dwelling Unit. "Land area per dwelling unit," means the minimum area required within a development area for each dwelling unit.

(B) Gross Floor Area of Dwelling Unit. The minimum gross area of all the floors of a dwelling unit, excluding the whole area of garages and one-half the area of balconies, porches.

(C) Maximum Height. "Maximum height" refers to the height to which any main building may be constructed above the designed finished grade at center of front elevation.

(D) Dwelling Unit. "Dwelling unit," means a space within a dwelling comprising a living room, a dining room, kitchen, and a sleeping room or rooms, storage closets and space and equipment for bathing and toilet facilities, all used by one family.

(Ord. 74-51. Passed 7-1-74.)

1158.07 AREA AND HEIGHT REGULATIONS.

Land and buildings shall be used in an Attached Residence District and buildings shall be designed, erected, altered, moved or maintained in such District in accordance with the following:

(A) Development Area. The minimum development site in an Attached Residence District shall be 5 acres.

(B) Density. The density of development for Attached Residences shall not exceed 6 dwelling units per acre.

(C) Height of Buildings. Attached Residences shall exceed neither two and one-half (2-1/2) stories nor 30 feet in height.

(D) Attached Residences per Building. Eight dwelling units, or a lesser number may be attached one to another by common or adjoining walls and shall be regarded as constituting a single building (but not as a single dwelling unit). All measurements of residences so attached shall be made as a single building. No building shall exceed 240 feet in length.

(E) Gross Floor Areas of Dwelling Units. Schedule as follows:

Dwelling Unit Minimum Area (Sq. Ft.)

2 bedroom unit	1,200
3 bedroom unit	1,400
4 bedroom unit	1,600

(F) Restrictions on Units. One-bedroom units are specifically not permitted. The total units shall be divided so that approximately one-third contains two bedrooms, one-third contains three bedrooms, and the remaining one-third may consist of the builder's choice of any mix of approved number of bedrooms.

(Ord. 74-51. Passed 7-1-74.)

1158.08 YARD AND RELATED REQUIREMENTS.

In an Attached Residence District, the following yard and related requirements shall be observed:

(A) Frontage Requirement. Frontage at each entrance to the development shall be at least one hundred feet wide including a minimum buffer of 30 feet on each side of the paved access, except that frontage at pedestrian entrances need not exceed 50 feet in width including minimum buffers of 20 feet on each side of the walk.

(B) Building Line Setbacks. Placement and erection of all buildings shall be 50 feet from the property line adjoining a dedicated street.

(C) Minimum Yards. No building or structure, except as provided in (E) below, may be placed or erected within 40 feet of any site boundary, except that when such boundary is a present or planned dedicated street, the 50 feet setback as set forth in C.O. 1158.08(B) shall apply.

(D) Distances Between Buildings. The minimum distance between any 2 adjacent buildings shall be determined by the relationships between their respective main walls according to the requirements of Schedule 1158.08(D) where:

B = the combined Base Factor of 2 adjacent buildings = 40 feet

H = the combined Height Factor = 5 feet per 10 feet of combined building height

L = the combined Length Factor of two adjacent buildings = One foot per 10 feet of combined main wall length

CROSS REFERENCES

See diagram 1 (insert)

MINIMUM DISTANCES BETWEEN BUILDINGS

Main Walls Do Not Overlap

Within 0° - 180° Main Walls Overlap

Within 0° - 180°

Schedule 1158.08(D) - MINIMUM DISTANCES BETWEEN BUILDINGS

Where MAIN WALLS of Adjacent Buildings: Within Degrees

of Parallel: Minimum

Requirement

Overlap 0° - 30° B + H = L

30° - 60° B + H + ½L

60° - 120° B + H

120° - 150° B + H ½L

- 150° - 180° B + H + L
- DO NOT Overlap
- 0° - 30° ½ (B + H)
- 30° - 60° ¾ (B + H)
- 60° - 120° B + H
- 120° - 150° ¾ (B + H)
- 150° - 180° ½ (B + H)

(E) Distances from Accessory Uses to Main Buildings or Boundaries. The minimum distances from any Attached Residence to parking areas, driveways, walks and recreation areas and to the development area boundaries, as set forth below, are intended as desirable criteria and are to be applied in the site planning insofar as possible:

Minimum Distances (Feet)

From Dwelling

Accessory Use:	Main Wall	End Wall	From Boundary Line
Surface Garage	40* 30*	20	
Open Parking Areas	20	20	20
Private Drives	30	10	20
Walks (Public Use)	15	10	20
Recreation Areas (Active Play)	40	30	40

* or attached to building

The minimum distances set forth in the above schedule are intended to be applied to:

- (1) The main wall, meaning any exterior wall containing the principal windows of a living, dining or sleeping room or rooms.
- (2) The end wall, meaning any exterior wall, other than a main wall, containing minor windows of a dining or sleeping room, or principal or minor windows of a kitchen or bathroom, or a blank surface.
- (3) Private drives at all locations except at the garage entrance or main entrance of the dwelling served.
- (4) Walks used by the public at all locations except at the entrance to the dwelling served.
- (5) Recreation areas, meaning areas used for active play.

(F) Private Area. Each Attached Residence shall have a private area of not less than 200 square feet at an entrance and differentiated as such by approved patios, screens, walls and plantings.

(G) Projections of Building Features:

(1) Intent. A projection is that part or feature of a building which extends outside of the enclosing walls and makes the enclosed space more usable. It is intended that certain features may project into required yards, but they shall be regulated as herein set forth so that they will not substantially interfere with the reception of sun, light and air on adjacent lots.

(2) Types of Projecting Features.

The following definitions shall apply to the terms used in the section:

- a. Architectural Feature. A belt course, balcony, bay window, cornice, chimney, solid overhang, or shading device.
 - b. Entrance Feature. A platform, landing, steps, terrace or other features not extending above the level of the floor of the first floor level of a building.
 - c. Shelters, Enclosed. An enclosed entry or porch.
 - d. Shelters, Unenclosed. An entrance hood or open but roofed porch.
- (3) Projection Limitations. Building features may project into required front and side yards of a dwelling, but shall not project more than set forth in the following schedule:

Projecting Feature	Maximum Projection Into Required Front or Side Yard (Ft.)
Architectural	4
Entrance	5
Shelters, enclosed	None
Shelters, unenclosed	4

(Ord. 74-51. Passed 7-1-74.)

1158.09 PARKING REQUIREMENTS.

(A) The parking of automobiles and other motor vehicles on private or public streets within an Attached Residence District is prohibited. All automobile parking lots shall be screened from adjoining streets and properties by the planting of shrubbery or the construction of a decorative fence or wall. Parking areas shall be permitted at convenient locations throughout the development except that:

- (1) No parking areas or access drives shall be constructed within 20 feet of any Attached Residence building.
- (2) No parking area shall be closer than 20 feet from the side or rear property line abutting a street.
- (3) Landscaped islands and planting areas shall be designed so that no more than eight parking spaces shall be contiguous.

(B) Off-street parking shall be provided in an Attached Residence District as follows:

- (1) Resident Parking. Two spaces per unit, at least one of which shall be an immediately attached garage having at least 280 square feet of usable floor space; and
- (2) Guest Parking. One space per unit.

(C) In view of the desire to preserve natural open space within the development, off-street parking shall not exceed minimum requirements pursuant to C.O. 1158.09(B) by more than 20%.

(Ord. 74-51. Passed 7-1-74.)

1158.10 STREET AND ACCESS REQUIREMENTS.

(A) All proposed streets and access within an Attached Residence District shall be in accord with an approved overall plan conducive to the safe and efficient access and circulation of automobiles and safety and service vehicles.

(B) All vehicular pavement in an Attached Residence District shall be constructed in accordance with the standards established by the City of Bay Village.

(C) Circulation and access shall be designed according to the following criteria:

- (1) Dedicated Streets. No dedicated street shall extend more than 1,200 feet without juncture with another dedicated street.
- (2) Dedicated Cul-de-Sacs. Dedicated cul-de-sacs shall not exceed 600 feet in length nor provide direct or indirect access to no more than 30 units.
- (3) Private Drives. Private drives shall be no more than 600 feet in length and provide direct or indirect access to no more than 30 units.
- (4) Private Cul-de-Sacs. Nondedicated cul-de-sacs and court arrangements shall not extend more than 300 feet from a dedicated right-of-way nor provide direct or indirect access to more than 15 units.
- (5) Individual Driveways. No individual driveway shall be more than 50 feet in length nor provide access to more than two units.

(D) Services to the building shall be separate from pedestrian and vehicular circulation routes.

(E) A comprehensive walkway system adequately separated from vehicular circulation shall be provided.
(Ord. 74-51. Passed 7-1-74.)

1158.11 OPEN SPACE REQUIREMENTS.

(A) Open Space as used in this Chapter means that portion of the total acreage not devoted to buildings and pavement. Open Space includes the spaces between buildings, required yards and setbacks, landscaped buffers and lawn areas, tennis courts, swimming pools or other recreational improvements.

(B) No less than 60%, of the total acreage shall be devoted to open space.
(Ord. 74-51. Passed 7-1-74.)

1158.12 LANDSCAPE PLANTING AND DESIGN.

All development within an Attached Residence District shall be landscaped according to a landscape plan accepted as part of the Final Development Plan. Plantings, walls, fencing and screens shall be so designed and located as to optimize privacy and aesthetic quality without encroaching upon required automobile sight distances. Natural wooded areas shall be preserved whenever possible.
(Ord. 74-51. Passed 7-1-74.)

1158.13 OTHER SITE IMPROVEMENTS.

In an Attached Residence District the following other site improvements shall be required:

(A) Water Supply. An adequate source of potable water shall be brought to the Attached Residence District from the City of Cleveland Water System and must be approved by the City of Bay Village, the City of Cleveland and the State of Ohio.

(B) Sewer System. The Landowner shall at its sole expense construct a sanitary sewage system meeting all requirements of the City of Bay Village, title of which is recognized by Council by the acceptance of dedication of the street. Plans and specifications must be approved by the City of Bay Village Sanitary Engineering Department and the State Department of Water and Health.

(C) Electric and Telephone Systems. Plans and specifications must be approved by the appropriate utilities serving this area.

(D) Fire Protection. Plans and specifications must be approved by the Fire Prevention Bureau. (Ord. 74-51. Passed 7-1-74.)

1158.14 MAINTENANCE AND USE OF PUBLIC AND COMMON AREAS.

(A) As a condition to approval of a proposed development under provisions of this Chapter, plans for the care, maintenance, use and disposition of all public and common area, if any, shall be approved by the City Planning Commission providing for:

(1) The public dedication and acceptance for maintenance by the City of property found by the Council to be of benefit to the general public, or

(2) The retention of property in common ownership of the individual owners through appropriate legal means with appropriate legal provisions to insure continuous maintenance and use for the purpose intended.

(B) All areas proposed for dedication to the City must be acceptable as to size, shape, location and improvement and shown by the applicant to be of benefit to the general public. Title of all land dedicated to public use shall be unencumbered at the time of conveyance and all areas shall be fully improved by the applicant, as required by the City Planning Commission, including all utilities, public walkways and streets through or abutting the property.

(C) For all areas proposed for common ownership by the residents, all rights of development other than for the use specified in the approved Final Development Plan shall be subject to approval of the City. However, each proposal for such use, including parking areas, private access ways, private parks and recreational facilities, and common service facilities shall be accompanied by appropriate legal documents which provide for the management and maintenance of common facilities. Legal instruments providing for dedications, covenants, home associations and subdivision controls shall:

(1) Place title of common property in a form of common ownership by the owners and/or residents of the area, e. g., a duly constituted and legally responsible home association, cooperative, etc.

(2) Appropriately limit the use of common property.

(3) Place responsibility for management and maintenance of common property. Council, at its discretion may require the applicant to obtain City services, for maintenance of commonly held properties where the public health, safety and/or welfare may require.

(4) Place responsibility for enforcement of covenants.

(5) Permit the subjection of each lot to assessment for its proportionate share of maintenance costs.

(D) All common property shall be fully improved by the applicant, as required by the Council, including all utilities, public walkways and streets through or abutting the property.

(E) The use, condition and maintenance of all common properties shall comply with City ordinances and existing regulations in all respects.
(Ord. 74-51. Passed 7-1-74.)

1158.15 SOLID WASTE DISPOSAL.

Arrangements for the performance of rubbish and garbage collection and removal shall be set forth in writing and subject to City approval. Any subsequent modification of said arrangements shall be presented to the City for review.
(Ord. 74-51. Passed 7-1-74.)

1158.16 COMPLIANCE WITH CODE.

(A) All rules and regulations contained in the Codified Ordinances of the City of Bay Village shall be applicable except those which are specifically excepted by C.O. 1158.01 through 1158.16.

(B) Noncompliance with the provisions of this Chapter shall be subject to penalty as set forth in C.O. 1123.99.
(Ord. 74-51. Passed 7-1-74.)

be and the same is amended to read:

CHAPTER 1158

~~R-4~~, Attached Residential District

- 1158.01 Intent.**
- 1158.02 ~~Applicability-Qualifying Condition.~~**
- 1158.03 Permitted Buildings and Structures.**
- 1158.04 Development Requirements.**
- 1158.05 Review and approval.**
- 1158.06 Reserved.**

1158.01 INTENT.

The ~~R-4~~, Attached Residential District and its regulations are established to achieve the following purposes:

- (A) To provide alternative housing choices to accommodate current residents as they enter new life phases;
- (B) To support the goals and recommendations of the City's 1999 Master Plan and the Retail Improvement Strategy relative to housing options, redevelopment and infill;
- (C) To protect the desirable characteristics of both existing and planned residential development, to maintain stability;
- (D) To provide an appropriate transitional use between single family residential and non-residential uses;

Commented [LL1]: "R-4" was removed throughout per discussions with Planning Commission and Consultant at conference call.

Commented [LL2]: See Planning Commission Comment Number 1

- (E) To enhance the vibrancy of the City’s central core business district; and
- (F) To offer a viable redevelopment option to ensure the City’s continued sustainability.

1158.02 APPLICABILITY-QUALIFYING CONDITION.

Consistent with the intent, this district ~~may shall only~~ be established in locations specifically identified in the ~~current approved Master Plan for the City of Bay Village 1999 Master Plan~~ and the 2004 Retail Improvement Strategy as development, redevelopment or infill sites for townhouse, condominium or multiple family residential. ~~In addition, other sites may be appropriate to provide a suitable buffer or transition between disparate uses.~~ Properties located along arterial or collector streets ~~in close proximity adjacent~~ to retail and service uses may also lend themselves to the uses permitted in this district.

1158.03 PERMITTED BUILDINGS AND STRUCTURES.

- (A) Principal Uses: The principal uses in this district shall be limited to townhouses, as defined in Section 1121.47A and two-family dwellings, as defined in Section 1121.48.
- (B) Accessory Uses: Accessory buildings, structures and uses including, but not limited to, the following are permitted on any lot in the ~~R-4~~, Attached Residential District:
 - (1) Recreation facilities, such as swimming pools (See Section 1349.01), clubhouses, sauna baths and tennis courts, for the exclusive use of residents and their guests.
 - (2) Landscape features including gardens, fountains, sidewalks, lawns, patios, decorative walls and fences.
 - (3) Detached garages.

1158.04 DEVELOPMENT REQUIREMENTS.

The requirements of this section shall be the minimum standards for development within the ~~R-4~~ District. If any requirement of this section conflicts with other provisions of the City of Bay Village Zoning Code, the provisions of this section shall apply.

- (A) Spatial Requirements: The following requirements, specified in Table 1158-4, shall apply to any development within the ~~R-4~~ District:

TABLE 1158-4 Spatial Requirements			Townhouse	Two-family
Minimum site area (sq. ft.)			0 ¹	11,000
Minimum site width (feet)			100	80
Density (units per gross acre)			Maximum of 10	
Minimum yard setback (feet)	Front yard ³		10 ²	25 ²
	Rear yard ³		25	35
	Side	Interior	20	10
		Street	30	25
	Min. separation between ends of buildings		25	N/A
Maximum	Feet		35	

Commented [LL3]: See Planning Commission Comment Number 2

building height (feet)	Stories	2 ½	
Maximum lot coverage (percent)	Buildings	45	40
	Pavement and buildings	50	45
Maximum units per building		6	2
Minimum finished livable floor area (square feet)	1 bedroom	900	
	2 bedroom	1,200	
	3 bedroom	1,400	
	Additional bedrooms	150/added bedroom	

¹ There is no required minimum area for a townhouse development; provided, the gross density shall not exceed the equivalent of 10 units per gross acre. A minimum lot size of 5,500 square feet per dwelling unit shall be required for two-family dwellings.

² If at least 50 percent of the lots on the same side of the street and within the same block as the subject property contain a principal building, the minimum front yard setback, measured from the front lot line, shall be the average of the setbacks established by those principal buildings within 200 feet on either side of the subject property (not including corner lots where the front setback is on the intersecting street).

³ Front and rear yard setback requirements shall be met for each two-family or townhouse unit.

(B) Architectural Features: A projection is that part or feature of a building which extends outside of the enclosing walls and makes the enclosed space more usable. It is intended that certain features may project into required yards, but shall be regulated as provided in Table 1158-4a so they will not substantially interfere with the reception of sun, light and air on adjacent lots or impede emergency access.

Table 1158-4a Projections into Required Yard setbacks			
Architectural Feature	Allowed Projections into a Required Yard		
	Front Yard	Side Yard	Rear Yard
Accessory structures, detached	See <i>Section 1149</i>		
Accessible ramps, wheelchair lifts and similar structures	Least encroachment necessary to meet state or federal requirements, but no more than 8 ft.; must maintain a minimum 3-foot side yard setback		
Air conditioning units, generators and other mechanical equipment	None	3 ft.	3 ft.
		No more than 5 ft. from the building	
Arbors, trellises and pergolas (attached to principal building)	5 ft.	3 ft.	10 ft.
Awnings and canopies			
Balconies (uncovered)	5 ft.	None	10 ft.
Bay windows	3 ft.	3 ft.	3 ft.
Chimneys	3 ft.	3 ft.	3 ft.
Eaves and gutters	2 ft.	2 ft.	2 ft.
Fences and walls	See <i>Section 1163</i>		

Commented [LL4]: See Planning Commission Comment Number 2

Table 1158-4a Projections into Required Yard **Setbacks**

Architectural Feature	Allowed Projections into a Required Yard		
	Front Yard	Side Yard	Rear Yard
Paved patios and similar at-grade structures (not including driveways and sidewalks), un-roofed and unenclosed ¹	4 ft.	None	Up to 15 ft. from a rear lot line
Porches, decks and stoops, uncovered and unenclosed ¹	4 ft.	3 ft.	10 ft.
Stairways (not including steps to main floor entry) and below-grade stairwells	None	3 ft.	10 ft.
Window wells and egress windows, below grade	3 ft.	3 ft.	3 ft.

Commented [LL4]: See Planning Commission Comment Number 2

Footnotes:

¹ Any covered or roofed porch, deck, patio, stoop or similar structure shall be considered part of the principal building and shall comply with the required setbacks for the principal building.

(C) Open Space: For townhouse developments, those areas of the site not covered by buildings, structures or pavement shall remain as open space. At a minimum, at least 40 percent of the total project site for townhouses shall be retained as open space, in accordance with the following:

- (1) Open space shall meet the following standards:
 - a. Provide spaces for the common use of all residents of the townhouse development or sufficient yards adjacent to each unit for the use of the residents of those units;
 - b. Common open space areas shall be centrally located or distributed throughout the development to provide convenient access in close proximity to all residents;
 - c. Preserve significant natural features on the site, including mature trees;
 - d. The Planning Commission may reduce the open space requirement, based on a finding that one or more of the following conditions exists:
 - i. The subject site abuts or is directly across the street from a public park or similar dedicated public open space area;
 - ii. The site is adjacent to a dedicated non-motorized trail or pathway that provides access for pedestrians and cyclists to City parks in relative proximity to the subject site; or
 - iii. The proposed development will provide one or more natural preserves and/or common activity areas for its residents that are of significant size and configuration to fulfill the spirit and intent of the open space requirement.

(D) Common Areas:

- (1) For all areas proposed for common ownership in any residential development within the R-4 District, rights of development other than for the use specified in the approved final development plan shall be subject to approval of the Planning Commission. The use of common areas such as, but not limited to: open space, parking areas, private streets and alleys, recreational facilities, and common service facilities shall be restricted by appropriate legal documents, which provide for the management and maintenance of all common facilities. Legal instruments providing for dedications, covenants, home owners association and subdivision controls shall:
 - a. Place title of common property in a form of common ownership by the owners and/or residents of the area, e. g., a duly constituted and legally responsible home owners association, cooperative or similar legal entity.
 - b. Appropriately limit the use of common property.
 - c. Assign responsibility for management and maintenance of common property. the City, at its discretion may require the applicant to obtain City services, for maintenance of commonly held properties where the public health, safety and/or welfare may require.
 - d. Place responsibility for enforcement of covenants.
 - e. Permit the subjection of each dwelling unit to assessment for its proportionate share of maintenance costs.
- (2) All common property shall be fully improved by the applicant prior to issuance of an occupancy permit, including all utilities, landscaping, lighting, walkways and streets through or abutting the property; provided, the chief building official may issue an occupancy permit prior to completion of landscaping if it is determined that weather conditions prevent timely completion of the landscaping and a financial guarantee is posted to assure that all improvements will be completed within 120 days of receiving the occupancy permit.
- (3) The use, condition and maintenance of all common properties shall comply with City ordinances and existing regulations in all respects.

(E) Streets and Access: All proposed streets and access within the R-4 District shall ensure efficient access and circulation of all vehicles and safe movement of non-motorized conveyances and pedestrians. The design and layout of streets and walkways within the development shall be established by the Planning Commission; provided, at a minimum, the following requirements shall be met:

- (1) Dedicated Streets. Dedicated streets shall not extend more than 1, 200 feet without intersecting another dedicated street.
- (2) Dedicated Cul-de-Sacs. Dedicated cul-de-sacs shall not exceed 600 feet in length nor provide direct or indirect access to more than 30 units.
- (3) Private Streets. Private streets shall not exceed 600 feet in length without intersecting another private or dedicated street, nor provide direct or indirect access to more than 30 units.

- (4) Private Cul-de-Sacs. Non-dedicated cul-de-sacs and court arrangements shall not extend more than 300 feet from a dedicated right-of-way nor provide direct or indirect access to more than 15 units.
- (5) Alleys. Access to units, garages or parking areas may be from alleys; provided, the alley meets City design standards and connects on both ends to a public or private street.
- (6) Access to Perimeter Streets. Townhouse units may front upon any public street abutting the boundaries of the project site; provided, all vehicular access shall be via interior public or private streets and individual driveways shall not be permitted along the perimeter street.
- (7) Walkways. A walkway system shall be provided along perimeter streets abutting the R-4 District and on both sides of interior streets within any development. The walkways shall be ramped at all street intersections to provide handicapped accessibility and shall be separated from the adjacent dedicated or private street by a grass strip at least four feet wide.

(F) Parking: Off-street parking shall be provided in accordance with the following requirements:

- (1) Two spaces shall be provided for each dwelling unit, plus an additional .25 spaces per townhouse unit for visitors;
- (2) At least one of the required parking spaces per unit shall be within a garage attached to the unit which it serves;
- (3) Parking spaces shall be a minimum dimension of 20 feet long by 9 feet wide;
- (4) All parking spaces shall be hard-surfaced (asphalt or concrete) and striped; and
- (5) Parking areas and detached garages or carports shall not be permitted in any front or side yard and shall be set back at least 10 feet from any adjoining side or rear lot line; provided, if a garage or carport faces and is accessed from an alley, the minimum building setback shall be 20 feet from the rear lot line.

(G) Landscaping: For all residential development in the R-4 District, except a single building containing a two-family dwelling on one (1) lot, a landscape plan, prepared by a landscape architect registered in the State of Ohio, shall be submitted for Planning Commission approval in accordance with the following minimum requirements:

- (1) Front yard landscaping shall contain at least one shade tree for each dwelling unit with a minimum caliper of two and one-half (2½) inches and one ornamental tree for each two units. Shrubbery and/or other low plant material at least 24 inches high at time of planting and approved by the Planning Commission shall be installed along the foundation of each unit.
- (2) A perimeter buffer meeting the following minimum requirements shall be installed along the side and rear property boundaries for townhouse developments abutting property zoned First Residence or Third Residence:
 - a. Minimum width of 10 feet;
 - b. Equivalent of one (1) tree per 50 feet or fraction of buffer zone length, at least one-third (1/3) of all trees shall be evergreen trees. At the time of planting, deciduous trees shall be a minimum of two and one-half (2 ½) inch caliper and evergreens shall be at least six (6) feet tall;

- c. Three (3) foot high continuous sight-obscuring screen composed of plant material, berms, walls, fences or any combination approved by the Planning Commission;
- d. If berms are used for any part of the buffer, they shall contain one (1) shrub for every 10 feet of berm length in addition to the requirements of subsection (2)b. All required plant material shall be placed on the top or side slope of the berm facing the exterior property line;
- e. If a wall or fence is used for any part of the buffer, a minimum of one (1) shrub for every 10 feet of wall or fence shall be placed along the exterior side in addition to the requirements of subsection (2)b. At least half of all shrubs shall be a minimum of 24 inches high at the time of planting;
- f. All areas within the buffer strip not containing trees, shrubs or planting beds shall be planted with grass and other living ground cover; and
- g. In order to promote better design and a more natural appearance, the required trees and other plant material need not be uniformly spaced. Clusters or groupings of plant material may be permitted; provided, the intent of the buffer strip to provide separation and screening from adjoining uses is achieved.

(3) Landscaped islands shall be provided within parking areas to reduce the visual impact of parking upon the development. At a minimum, a landscaped island at least nine (9) feet wide and 180 square feet in area shall separate each eight (8) contiguous parking spaces. Each island shall contain trees and/or other living plant material to provide visual relief and physical separation of parking spaces.

- (4) Screening shall be provided around all outdoor trash dumpsters, as follows:
- a. Solid sight-obscuring fence or wall six (6) feet high;
 - b. Enclosed on all sides and not containing any openings other than a gate for access which shall be closed at all times when not in use;
 - c. The fence or wall shall be constructed of masonry, treated wood or other material approved by the Planning Commission if determined to be attractive, durable, weather resistant, rust proof and easily maintained. Chain link and barbed wire fences are not permitted.

(H) **Building Materials and Design Standards:** Exterior design of all principal and accessory buildings shall complement the character of the adjacent neighborhood with respect to building materials, details, roof pitch, setbacks and scale. However, at a minimum, the following standards shall apply, unless a modification is permitted, as specified in Section 1158.05 H:

(1) **Exterior Materials.**

- a. Primary: At least 80 percent of the building exterior shall consist of:
 - i. brick and tile masonry (or synthetic equivalent),
 - ii. native stone (or synthetic equivalent),
 - iii. hardie-plank or equivalent, and/or
 - iv. wood siding.
- b. Accent: No more than 20 percent of any façade may consist of:
 - i. pre-cast masonry (for trim and cornice elements only),

- ii. gypsum reinforced fiber concrete (GFRC – for trim elements only),
 - iii. metal (for beams, lintels, trim elements and ornamentation only), and/or
 - iv. split-faced block (for piers, foundation walls and chimneys only).
- (2) **Building Facades.** Long, monotonous building planes shall be avoided. The front façade of each row of townhouse units within a single building shall be articulated using means such as, but not limited to: offsetting the front setback of individual units; using gables; recessing front entries; varying colors and materials on each unit; using a variety of window sizes and styles and/or incorporating columns, dormers, overhangs or other architectural elements. In addition, the following requirements shall be met:
- a. Transparency: Windows and doors shall comprise at least 25 percent of the front façade and the street side façade for units abutting a public street.
 - b. Front entry: Each dwelling unit shall have a front door facing a street or public open space that is accessed from a stoop or porch.
 - i. a stoop shall have a minimum depth of four feet and a minimum area of 24 square feet;
 - ii. a front porch must be at least eight feet deep, with a width equal to at least 40 percent of the width of the dwelling unit;
 - c. Roofs:
 - i. Pitched roofs shall have at least a 4:12 but not more than a 12:12 pitch. Mechanical equipment located on the roof shall be on the back half of the building and screened on all sides so as not to be visible as observed from the sidewalk or pavement edge of the street.
 - ii. Flat roofs shall be enclosed by a parapet which shall be high enough to conceal mechanical equipment as observed from the sidewalk or pavement edge of the street.

Commented [LL5]: See Planning Commission Comment Number 3

1158.05 REVIEW AND APPROVAL

- (A) **Pre-application Meeting:** Prior to submitting an application for rezoning to or development plan approval, the applicant shall conduct a meeting with surrounding property owners for the purpose of explaining the proposed development and soliciting comments and suggestions relative to the proposal. It is suggested that such meeting be conducted as a work session to obtain feedback that can be incorporated into the design and layout of the proposed project prior to formally submitting an application.
- (B) **Application:** Applications for rezoning property to an **R-4** District shall be submitted in compliance with Bay Village Charter 7.6.
- (C) **Development Plan:** The development plan shall contain, at a minimum, the information specified in Section 1129.01.
- (D) **Planning Commission Review:** The complete application and all required documents shall be forwarded to the Planning Commission for review and approval under Chapter 1129. The applicant shall attend the review meeting and present the proposed project to the Commission.
- (E) **Public Hearing:** Following the initial review meeting, the Planning Commission shall schedule a public hearing, notice of which shall be given to owners of property adjoining the subject site and published in a newspaper of general circulation in the city, as required by Ohio law. A public hearing shall only be required if the subject property is to be rezoned. If the property is already

Commented [LL6]: See Planning Commission Comment Number 4

zoned as an Attached Residence District and the applicant is seeking approval of the development plan, a public hearing shall not be required.

(F) Planning Commission Decision:

- (1) If the subject property is to be rezoned, the Planning Commission shall, upon conclusion of the public hearing, make a recommendation to the City Council to approve or disapprove the request and shall state the reasons and findings for its recommendation. In addition, if the Planning Commission recommendation is to approve the rezoning, it shall also transmit its decision with respect to approval, approval with conditions or disapproval of the development plan. The Planning Commission's action to approve the development plan or approve with conditions shall be contingent upon Council action to rezone the property and shall be based on the standards cited in 1158.05 (G). In the event the City Council approves the change in zoning, but differs with the Planning Commission regarding its decision relative to the development plan, the Council may, by two-thirds vote of its members, reverse or modify the Planning Commission decision.
- (2) If the subject property is already zoned, the Planning Commission shall review the development plan and approve, approve with conditions or disapprove the plan based on the standards cited in Section 1158.05 (G). The reasons for their action shall be stated for the record and provided, in writing, to the applicant. No public hearing or Council action shall be required.

(G) City Council Action: Upon receiving the Planning Commission recommendation regarding the rezoning, the City Council shall vote to approve or disapprove the change in zoning. District; provided, any approval by Council shall be subject to Section 7.6 of the City Charter.

(D)(H) Review Standards: The development plan shall be approved upon a finding that the plan meets the following standards:

- (1) The development plan complies with all requirements of this chapter, all applicable requirements of this ordinance and all other applicable laws and regulations.
- (2) The site is designed in a manner that is harmonious, to the greatest extent possible, with the character of the surrounding area.
- (3) The site is designed in a way that minimizes impacts upon adjacent property and mitigates the potential negative effects of traffic, noise, and glare to the maximum extent reasonably possible.
- (4) The development plan shall be found to be consistent with the Intent and Applicability provisions of this chapter, as stated in Sections 1158.01 and 1158.02, respectively.
- (5) Unless a more specific design standard is required by the city through a different ordinance, all uses and structures subject to development plan review shall comply with the following:
 - a. Traffic Circulation. The number, location and size of access points, and internal vehicular and pedestrian circulation routes shall be designed to promote safe and efficient access to and from the site, and circulation within the site. In reviewing traffic features, the number, spacing, and alignment of existing and proposed access points shall be considered

- relative to their impact on traffic movement on abutting streets and adjacent properties.
- b. Stormwater. Stormwater detention and drainage systems shall be designed so the removal of surface waters will not adversely affect neighboring properties or public stormwater drainage systems. Unless impractical, stormwater shall be removed from all roofs, canopies and paved areas by underground surface drainage system.
 - c. Landscaping. The landscape shall be preserved in its natural state, insofar as practicable, by minimizing unnecessary tree and soil removal, and any grade changes shall be in keeping with the general appearance of neighboring developed areas. Landscaping, buffers and greenbelts, as required by this chapter, shall adequately screen proposed buildings from surrounding property.
 - d. Lighting. Lighting shall be designed to minimize glare on adjacent properties and public streets. Where necessary, screening shall be provided to shield abutting residential properties from headlights and glare.
 - e. Utility Service. All utility service shall be underground, unless impractical.
 - f. Exterior Uses. Outdoor storage areas, parking areas, trash receptacles, heating and cooling units and similar accessory areas shall be located to have a minimum negative effect on adjacent properties, and shall be screened, if reasonably necessary, to ensure compatibility with surrounding properties.
 - g. Emergency Access. All buildings and structures shall be readily accessible to emergency vehicles.
 - h. Water and Sewer. Water and sewer installations shall comply with all city specifications and requirements.

and present Section 1158 is hereby repealed.

SECTION 2. That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and of any committee that resulted in those formal actions were in meetings open to the public in compliance with law.

SECTION 3. That this ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare, wherefore this ordinance shall be in full force and take effect immediately upon its passage and approval by the Mayor.

PASSED:

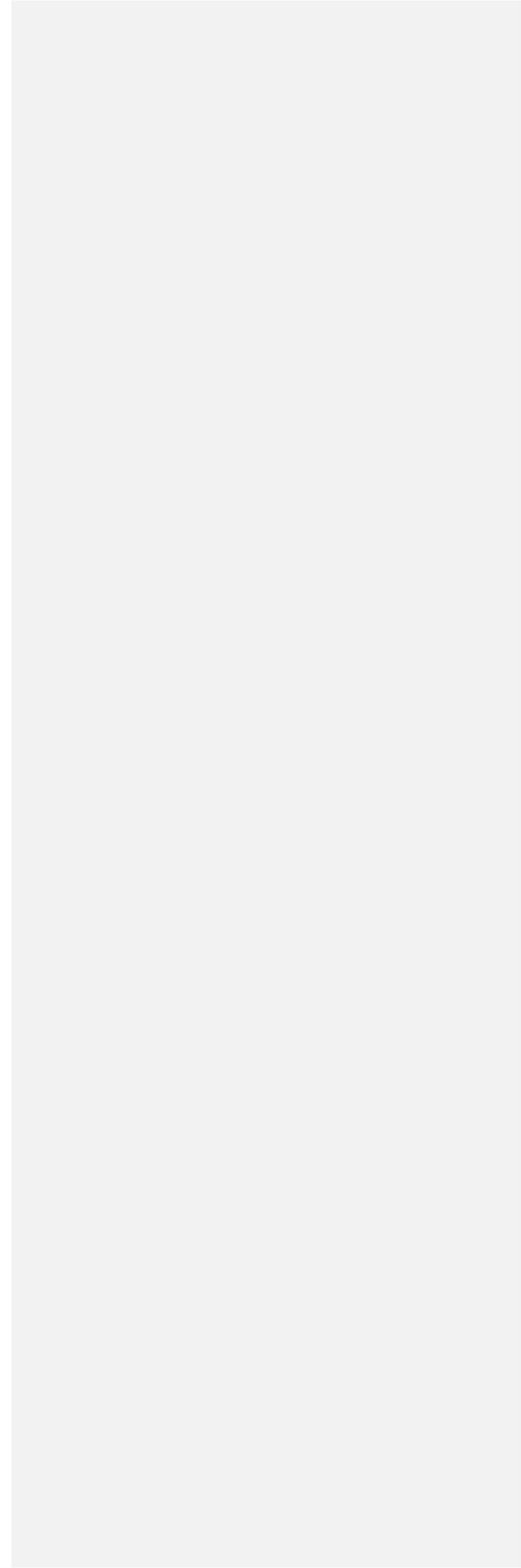
PRESIDENT OF COUNCIL

CLERK OF COUNCIL

APPROVED:

MAYOR

[12/3/15](#)
[1/20/16](#) II



AN ORDINANCE
AMENDING CODIFIED ORDINANCE 521.12 REGARDING
GARBAGE OR RUBBISH DEPOSIT AND COLLECTION,
AND DECLARING AN EMERGENCY

BE IT ORDAINED by the Council of the City of Bay Village, Ohio:

SECTION 1. That Codified Ordinance Section 521.12 which presently reads as follows:

521.12 GARBAGE OR RUBBISH DEPOSIT AND COLLECTION.

(a) No person shall dump garbage, rubbish or combustible waste material on any public or private lot or property except subject to regulations prescribed by the Director of Public Service and Properties.

(b) Each resident, prior to 7:00 a.m. on scheduled collection day, shall carry all garbage and refuse to the curb for collection. No collection material shall be so placed earlier than 5:00 p.m. the evening before the scheduled collection day. This section does not include placing of tree branches on the tree lawn for pickup.

(c) No person, except as may from time to time be authorized by resolution of Council, shall remove, appropriate or otherwise pick any rubbish, debris or other material deposited within the limits of the dedicated street by the residents of the City for collection by the City.

(d) Whoever violates this section is guilty of a minor misdemeanor. Each day's continued violation shall constitute a separate offense.
(Ord. 85-84. Passed 7-15-85.)

be and the same is amended to read:

521.12 GARBAGE OR RUBBISH DEPOSIT AND COLLECTION.

(a) No person shall dump garbage, rubbish or combustible waste material on any public or private lot or property except subject to regulations prescribed by the Director of Public Service and Properties.

(b) Each resident, prior to 7:00 a.m. on scheduled collection day, shall carry all garbage and refuse to the curb for collection. No collection material shall be so placed earlier than 5:00 p.m. the evening before the scheduled collection day. Cans must be removed from the curb by 8:00 a.m. the day after collection. This section does not include placing of tree branches on the tree lawn for pickup.

(c) No person, except as may from time to time be authorized by resolution of Council, shall remove, appropriate or otherwise pick any rubbish, debris or other material deposited within the limits of the dedicated street by the residents of the City for collection by the City.

(d) Whoever violates this section is guilty of a minor misdemeanor. Each day's continued violation shall constitute a separate offense.

and present Section 521.12 is hereby repealed.

SECTION 2. That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and of any committee that resulted in those formal actions were in meetings open to the public in compliance with law.

SECTION 3. That this ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare, wherefore this ordinance shall be in full force and take effect immediately upon its passage and approval by the Mayor.

PASSED:

PRESIDENT OF COUNCIL

CLERK OF COUNCIL

APPROVED:

MAYOR

6-8-16 ll

RESOLUTION NO. _____
INTRODUCED BY: Mr. Vincent

A RESOLUTION
SUPPORTING DEVELOPMENT OF A COMPREHENSIVE
DEER POPULATION MANAGEMENT PLAN
FOR THE CITY OF BAY VILLAGE.

WHEREAS, The Council of the City of Bay Village is concerned that the deer population within the City of Bay Village is negatively affecting public health and safety, primarily through reported and unreported motor vehicle accidents involving deer; and,

WHEREAS, The Police Department of the City of Bay Village documented 11, 15, 24, 21, 34, and 33 motor vehicle accidents involving deer within the City of Bay Village during 2010, 2011, 2012, 2013, 2014 and 2015, respectively; and,

WHEREAS, The Service Department of the City of Bay Village documented 34 and 36 deer carcass pick-ups in 2014 and 2015, respectively; and,

WHEREAS, The Council of the City of Bay Village is concerned that the deer population within the City of Bay Village is causing economic harm to residents, primarily through damage to private property; and,

WHEREAS, The City of Bay Village does not maintain a standardized form and database to record the number, nature and details of complaints issued by residents regarding deer-related damage to private property; and,

WHEREAS, The Council of the City of Bay Village is concerned that the deer population within the City of Bay Village may be negatively affecting biodiversity, natural habitats, or ecology within the City of Bay Village; and,

WHEREAS, The City of Bay Village has not conducted a survey to estimate size of the deer population in the City of Bay Village or completed an assessment of the effect of the deer population on the biodiversity, natural habitats, or ecology within the City of Bay Village; and,

WHEREAS, The City of Avon Lake collaborated with the Ohio Department of Natural Resources to develop a comprehensive deer population management plan and published a report documenting the same which was adopted by the Avon Lake City Council on April 25, 2016 also, the City of Westlake and the City of North Olmsted are each collaborating with the Ohio Department of Natural Resources to develop deer population management plans;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Bay Village, Ohio:

SECTION 1. That the Council of the City of Bay Village formally encourages the Mayor and the Director of Public Safety of the City of Bay Village to:

- 1) Communicate the effect of the deer population on public health and safety in the City of Bay Village by reporting the number of motor vehicle accidents involving deer and the number of deer carcass pick-ups in the City of Bay Village to the Council of the City of Bay Village in a written format on a monthly basis beginning in September 2016; and,
- 2) Document the economic harm associated with damage to private property caused by the deer population in the City of Bay Village by creating and maintaining a form, available online, through which residents may report deer-related damage to private property; creating and maintaining a database to record the number, nature and details of such reports; and communicating the same to the Council of the City of Bay Village in a written format on a monthly basis beginning in October 2016.
- 3) Collaborate with the Ohio Department of Natural Resources (ODNR) to develop:
 - a. A safe and effective comprehensive deer population management plan for the City of Bay Village (which may involve private and/or public property) and is designed to address the aforementioned public health and safety, economic and, if deemed appropriate in consultation with the ODNR, ecological concerns; and,
 - b. A budget required to finalize, implement, and monitor the ongoing effectiveness of the plan (possibly including, but not limited to: aerial surveys, ecological assessments and deer population management programs on public property).
- 4) Communicate the comprehensive deer population management plan and budget to the Council of the City of Bay Village by December 31, 2016 for review and approval as well as for incorporation of related expenditures in the 2017 appropriations ordinance.

SECTION 2. That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this resolution were taken in an open meeting of this Council, and that all deliberations of this Council and of any committee that resulted in those formal actions were in meetings open to the public in compliance with law.

SECTION 3: That this resolution shall be in full force and take effect at the earliest time permitted by law.

PASSED:

PRESIDENT OF COUNCIL

CLERK OF COUNCIL

APPROVED:

MAYOR

6-23-16 LL

ORDINANCE NO.
INTRODUCED BY:

AN ORDINANCE
AMENDING CODIFIED ORDINANCE 1373.01 REGARDING
STORAGE IN FRONT OF BUILDING LINE; EXCEPTIONS,
AND DECLARING AN EMERGENCY

BE IT ORDAINED by the Council of the City of Bay Village, Ohio:

SECTION 1. That Codified Ordinance Section 1373.01 which presently reads as follows:

1373.01 STORAGE IN FRONT OF BUILDING LINE; EXCEPTIONS.

No person shall store, keep or maintain in any residential district in the City any of the following objects: self-propelled camper, house trailer, boat trailer, boat, camper trailer, or any other object mounted on wheels and designed to be towed or trailed, unless the same is stored, kept or maintained within a garage or other enclosed accessory structure permitted by Zoning Ordinance of the City, or unless such object is stored, kept, or maintained in the rear yard area, provided that the object may be stored in the front yard area if the house setback is at least one hundred feet from the street the house faces. In no event shall any such object be stored, kept or maintained less than twelve feet from any property line or less than thirty feet from any abutting street, and any such object so stored, kept or maintained shall be titled to the owner or resident of such property. The temporary storage of such objects for the purpose of loading or unloading for periods not to exceed seventy-two hours within a twenty-one day period shall not be deemed unlawful under the provisions of this section.

(Ord. 05-137. Passed 12-12-05.)

be and the same is amended to read:

1373.01 STORAGE IN FRONT OF BUILDING LINE; EXCEPTIONS.

(a) No person shall store, keep or maintain in any ~~residential~~-district in the City more than one of any of the following objects: self-propelled camper, house trailer, boat trailer, boat, camper trailer, or any other object mounted on wheels and designed to be towed or trailed, unless the same is stored, kept or maintained within a garage or other enclosed accessory structure permitted by Zoning Ordinance of the City, or unless such object is stored, kept, or maintained in the rear yard area, provided that the object may be stored in the front yard area if the house setback is at least one hundred feet from the street the house faces. In no event shall any such object be stored, kept or maintained less than twelve feet from any property line or less than thirty feet from any abutting street, and any such object so stored, kept or maintained shall be titled to the owner or resident of such property and carry current registration or license plates for use on public highways or waterways. The temporary storage of such objects for the purpose of

loading or unloading for periods not to exceed seventy-two hours within a twenty-one day period shall not be deemed unlawful under the provisions of this section.

(b) No person shall store, keep or maintain in any Administrative Office and Apartment House, Commercial, Retail Business or Research and Development and Limited Manufacturing Districts in the City any of the following objects: self-propelled camper, house trailer, boat trailer, boat, camper trailer, or any other object mounted on wheels and designed to be towed or traileed, unless such object is customary to the use of the business occupying said premises, is stored in the rear yard and any such object so stored, kept or maintained shall be titled to the owner or occupant of such property and carry current registration or license plates for use on public highways or waterways.

and present Section 1373.01 is hereby repealed.

SECTION 2. That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and of any committee that resulted in those formal actions were in meetings open to the public in compliance with law.

SECTION 3. That this ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare, wherefore this ordinance shall be in full force and take effect immediately upon its passage and approval by the Mayor.

PASSED:

PRESIDENT OF COUNCIL

CLERK OF COUNCIL

APPROVED:

MAYOR

6-23-16 LL

ORDINANCE NO.
INTRODUCED BY:

AN ORDINANCE
AMENDING CODIFIED ORDINANCE 1373.01 REGARDING
STORAGE IN FRONT OF BUILDING LINE; EXCEPTIONS,
AND DECLARING AN EMERGENCY

BE IT ORDAINED by the Council of the City of Bay Village, Ohio:

SECTION 1. That Codified Ordinance Section 1373.01 which presently reads as follows:

1373.01 STORAGE IN FRONT OF BUILDING LINE; EXCEPTIONS.

No person shall store, keep or maintain in any residential district in the City any of the following objects: self-propelled camper, house trailer, boat trailer, boat, camper trailer, or any other object mounted on wheels and designed to be towed or trailed, unless the same is stored, kept or maintained within a garage or other enclosed accessory structure permitted by Zoning Ordinance of the City, or unless such object is stored, kept, or maintained in the rear yard area, provided that the object may be stored in the front yard area if the house setback is at least one hundred feet from the street the house faces. In no event shall any such object be stored, kept or maintained less than twelve feet from any property line or less than thirty feet from any abutting street, and any such object so stored, kept or maintained shall be titled to the owner or resident of such property. The temporary storage of such objects for the purpose of loading or unloading for periods not to exceed seventy-two hours within a twenty-one day period shall not be deemed unlawful under the provisions of this section.

(Ord. 05-137. Passed 12-12-05.)

be and the same is amended to read:

1373.01 STORAGE IN FRONT OF BUILDING LINE; EXCEPTIONS.

(a) No person shall store, keep or maintain in any ~~residential~~-district in the City more than one of any of the following objects: self-propelled camper, house trailer, boat trailer, boat, camper trailer, or any other object mounted on wheels and designed to be towed or trailed, unless the same is stored, kept or maintained within a garage or other enclosed accessory structure permitted by Zoning Ordinance of the City, or unless such object is stored, kept, or maintained in the rear yard area, provided that the object may be stored in the front yard area if the house setback is at least one hundred feet from the street the house faces. In no event shall any such object be stored, kept or maintained less than twelve feet from any property line or less than thirty feet from any abutting street, and any such object so stored, kept or maintained shall be titled to the owner or resident of such property and carry current registration or license plates for use on public highways or waterways. The temporary storage of such objects for the purpose of

loading or unloading for periods not to exceed seventy-two hours within a twenty-one day period shall not be deemed unlawful under the provisions of this section.

(b) No person shall store, keep or maintain in any Administrative Office and Apartment House, Commercial, Retail Business or Research and Development and Limited Manufacturing Districts in the City any of the following objects: self-propelled camper, house trailer, boat trailer, boat, camper trailer, or any other object mounted on wheels and designed to be towed or traileed, unless such object is customary to the use of the business occupying said premises, is stored in the rear yard and any such object so stored, kept or maintained shall be titled to the owner or occupant of such property and carry current registration or license plates for use on public highways or waterways.

and present Section 1373.01 is hereby repealed.

SECTION 2. That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and of any committee that resulted in those formal actions were in meetings open to the public in compliance with law.

SECTION 3. That this ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare, wherefore this ordinance shall be in full force and take effect immediately upon its passage and approval by the Mayor.

PASSED:

PRESIDENT OF COUNCIL

CLERK OF COUNCIL

APPROVED:

MAYOR

6-23-16 LL

ORDINANCE NO.
INTRODUCED BY:

AN ORDINANCE
AMENDING CODIFIED ORDINANCE 1373.01 REGARDING
STORAGE IN FRONT OF BUILDING LINE; EXCEPTIONS,
AND DECLARING AN EMERGENCY

BE IT ORDAINED by the Council of the City of Bay Village, Ohio:

SECTION 1. That Codified Ordinance Section 1373.01 which presently reads as follows:

1373.01 STORAGE IN FRONT OF BUILDING LINE; EXCEPTIONS.

No person shall store, keep or maintain in any residential district in the City any of the following objects: self-propelled camper, house trailer, boat trailer, boat, camper trailer, or any other object mounted on wheels and designed to be towed or trailed, unless the same is stored, kept or maintained within a garage or other enclosed accessory structure permitted by Zoning Ordinance of the City, or unless such object is stored, kept, or maintained in the rear yard area, provided that the object may be stored in the front yard area if the house setback is at least one hundred feet from the street the house faces. In no event shall any such object be stored, kept or maintained less than twelve feet from any property line or less than thirty feet from any abutting street, and any such object so stored, kept or maintained shall be titled to the owner or resident of such property. The temporary storage of such objects for the purpose of loading or unloading for periods not to exceed seventy-two hours within a twenty-one day period shall not be deemed unlawful under the provisions of this section.

(Ord. 05-137. Passed 12-12-05.)

be and the same is amended to read:

1373.01 STORAGE IN FRONT OF BUILDING LINE; EXCEPTIONS.

(a) No person shall store, keep or maintain in any ~~residential~~-district in the City more than one of any of the following objects: self-propelled camper, house trailer, boat trailer, boat, camper trailer, or any other object mounted on wheels and designed to be towed or trailed, unless the same is stored, kept or maintained within a garage or other enclosed accessory structure permitted by Zoning Ordinance of the City, or unless such object is stored, kept, or maintained in the rear yard area, provided that the object may be stored in the front yard area if the house setback is at least one hundred feet from the street the house faces. In no event shall any such object be stored, kept or maintained less than twelve feet from any property line or less than thirty feet from any abutting street, and any such object so stored, kept or maintained shall be titled to the owner or resident of such property and carry current registration or license plates for use on public highways or waterways. The temporary storage of such objects for the purpose of

loading or unloading for periods not to exceed seventy-two hours within a twenty-one day period shall not be deemed unlawful under the provisions of this section.

(b) No person shall store, keep or maintain in any Administrative Office and Apartment House, Commercial, Retail Business or Research and Development and Limited Manufacturing Districts in the City any of the following objects: self-propelled camper, house trailer, boat trailer, boat, camper trailer, or any other object mounted on wheels and designed to be towed or traileed, unless such object is customary to the use of the business occupying said premises, is stored in the rear yard and any such object so stored, kept or maintained shall be titled to the owner or occupant of such property and carry current registration or license plates for use on public highways or waterways.

and present Section 1373.01 is hereby repealed.

SECTION 2. That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and of any committee that resulted in those formal actions were in meetings open to the public in compliance with law.

SECTION 3. That this ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare, wherefore this ordinance shall be in full force and take effect immediately upon its passage and approval by the Mayor.

PASSED:

PRESIDENT OF COUNCIL

CLERK OF COUNCIL

APPROVED:

MAYOR

6-23-16 LL

ORDINANCE NO.
INTRODUCED BY:

AN ORDINANCE
AMENDING CODIFIED ORDINANCE 1373.01 REGARDING
STORAGE IN FRONT OF BUILDING LINE; EXCEPTIONS,
AND DECLARING AN EMERGENCY

BE IT ORDAINED by the Council of the City of Bay Village, Ohio:

SECTION 1. That Codified Ordinance Section 1373.01 which presently reads as follows:

1373.01 STORAGE IN FRONT OF BUILDING LINE; EXCEPTIONS.

No person shall store, keep or maintain in any residential district in the City any of the following objects: self-propelled camper, house trailer, boat trailer, boat, camper trailer, or any other object mounted on wheels and designed to be towed or trailed, unless the same is stored, kept or maintained within a garage or other enclosed accessory structure permitted by Zoning Ordinance of the City, or unless such object is stored, kept, or maintained in the rear yard area, provided that the object may be stored in the front yard area if the house setback is at least one hundred feet from the street the house faces. In no event shall any such object be stored, kept or maintained less than twelve feet from any property line or less than thirty feet from any abutting street, and any such object so stored, kept or maintained shall be titled to the owner or resident of such property. The temporary storage of such objects for the purpose of loading or unloading for periods not to exceed seventy-two hours within a twenty-one day period shall not be deemed unlawful under the provisions of this section.

(Ord. 05-137. Passed 12-12-05.)

be and the same is amended to read:

1373.01 STORAGE IN FRONT OF BUILDING LINE; EXCEPTIONS.

(a) No person shall store, keep or maintain in any ~~residential~~-district in the City more than one of any of the following objects: self-propelled camper, house trailer, boat trailer, boat, camper trailer, or any other object mounted on wheels and designed to be towed or trailed, unless the same is stored, kept or maintained within a garage or other enclosed accessory structure permitted by Zoning Ordinance of the City, or unless such object is stored, kept, or maintained in the rear yard area, provided that the object may be stored in the front yard area if the house setback is at least one hundred feet from the street the house faces. In no event shall any such object be stored, kept or maintained less than twelve feet from any property line or less than thirty feet from any abutting street, and any such object so stored, kept or maintained shall be titled to the owner or resident of such property and carry current registration or license plates for use on public highways or waterways. The temporary storage of such objects for the purpose of

loading or unloading for periods not to exceed seventy-two hours within a twenty-one day period shall not be deemed unlawful under the provisions of this section.

(b) No person shall store, keep or maintain in any Administrative Office and Apartment House, Commercial, Retail Business or Research and Development and Limited Manufacturing Districts in the City any of the following objects: self-propelled camper, house trailer, boat trailer, boat, camper trailer, or any other object mounted on wheels and designed to be towed or traileed, unless such object is customary to the use of the business occupying said premises, is stored in the rear yard and any such object so stored, kept or maintained shall be titled to the owner or occupant of such property and carry current registration or license plates for use on public highways or waterways.

and present Section 1373.01 is hereby repealed.

SECTION 2. That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and of any committee that resulted in those formal actions were in meetings open to the public in compliance with law.

SECTION 3. That this ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare, wherefore this ordinance shall be in full force and take effect immediately upon its passage and approval by the Mayor.

PASSED:

PRESIDENT OF COUNCIL

CLERK OF COUNCIL

APPROVED:

MAYOR

6-23-16 LL

ORDINANCE NO.
INTRODUCED BY:

AN ORDINANCE
AMENDING CODIFIED ORDINANCE 1373.01 REGARDING
STORAGE IN FRONT OF BUILDING LINE; EXCEPTIONS,
AND DECLARING AN EMERGENCY

BE IT ORDAINED by the Council of the City of Bay Village, Ohio:

SECTION 1. That Codified Ordinance Section 1373.01 which presently reads as follows:

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(Ord. 05-137. Passed 12-12-05.)

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(b) No person shall store, keep or maintain in any Administrative Office and Apartment House, Commercial, Retail Business or Research and Development and Limited Manufacturing Districts in the City any of the following objects: self-propelled camper, house trailer, boat trailer, boat, camper trailer, or any other object mounted on wheels and designed to be towed or traileed, unless such object is customary to the use of the business occupying said premises, is stored in the rear yard and any such object so stored, kept or maintained shall be titled to the owner or occupant of such property and carry current registration or license plates for use on public highways or waterways.

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SECTION 3. That this ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare, wherefore this ordinance shall be in full force and take effect immediately upon its passage and approval by the Mayor.

PASSED:

PRESIDENT OF COUNCIL

CLERK OF COUNCIL

APPROVED:

MAYOR

6-23-16 LL

ORDINANCE NO.
INTRODUCED BY:

AN ORDINANCE
AMENDING CODIFIED ORDINANCE 1373.01 REGARDING
STORAGE IN FRONT OF BUILDING LINE; EXCEPTIONS,
AND DECLARING AN EMERGENCY

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PASSED:

PRESIDENT OF COUNCIL

CLERK OF COUNCIL

APPROVED:

MAYOR

6-23-16 LL

ORDINANCE NO.
INTRODUCED BY:

AN ORDINANCE
AMENDING CODIFIED ORDINANCE 1373.01 REGARDING
STORAGE IN FRONT OF BUILDING LINE; EXCEPTIONS,
AND DECLARING AN EMERGENCY

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SECTION 3. That this ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare, wherefore this ordinance shall be in full force and take effect immediately upon its passage and approval by the Mayor.

PASSED:

PRESIDENT OF COUNCIL

CLERK OF COUNCIL

APPROVED:

MAYOR

6-23-16 LL

ORDINANCE NO.
INTRODUCED BY:

AN ORDINANCE
AMENDING CODIFIED ORDINANCE 1373.01 REGARDING
STORAGE IN FRONT OF BUILDING LINE; EXCEPTIONS,
AND DECLARING AN EMERGENCY

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SECTION 2. That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and of any committee that resulted in those formal actions were in meetings open to the public in compliance with law.

SECTION 3. That this ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare, wherefore this ordinance shall be in full force and take effect immediately upon its passage and approval by the Mayor.

PASSED:

PRESIDENT OF COUNCIL

CLERK OF COUNCIL

APPROVED:

MAYOR

6-23-16 LL

ORDINANCE NO.
INTRODUCED BY:

AN ORDINANCE
AMENDING CODIFIED ORDINANCE 1373.01 REGARDING
STORAGE IN FRONT OF BUILDING LINE; EXCEPTIONS,
AND DECLARING AN EMERGENCY

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SECTION 2. That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and of any committee that resulted in those formal actions were in meetings open to the public in compliance with law.

SECTION 3. That this ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare, wherefore this ordinance shall be in full force and take effect immediately upon its passage and approval by the Mayor.

PASSED:

PRESIDENT OF COUNCIL

CLERK OF COUNCIL

APPROVED:

MAYOR

6-23-16 LL

ORDINANCE NO.
INTRODUCED BY:

AN ORDINANCE
AMENDING CODIFIED ORDINANCE 1373.01 REGARDING
STORAGE IN FRONT OF BUILDING LINE; EXCEPTIONS,
AND DECLARING AN EMERGENCY

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PASSED:

PRESIDENT OF COUNCIL

CLERK OF COUNCIL

APPROVED:

MAYOR

6-23-16 LL

ORDINANCE NO.
INTRODUCED BY:

AN ORDINANCE
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PASSED:

PRESIDENT OF COUNCIL

CLERK OF COUNCIL

APPROVED:

MAYOR

6-23-16 LL

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INTRODUCED BY:

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1373.01 STORAGE IN FRONT OF BUILDING LINE; EXCEPTIONS.

(a) No person shall store, keep or maintain in any ~~residential~~-district in the City more than one of any of the following objects: self-propelled camper, house trailer, boat trailer, boat, camper trailer, or any other object mounted on wheels and designed to be towed or trailed, unless the same is stored, kept or maintained within a garage or other enclosed accessory structure permitted by Zoning Ordinance of the City, or unless such object is stored, kept, or maintained in the rear yard area, provided that the object may be stored in the front yard area if the house setback is at least one hundred feet from the street the house faces. In no event shall any such object be stored, kept or maintained less than twelve feet from any property line or less than thirty feet from any abutting street, and any such object so stored, kept or maintained shall be titled to the owner or resident of such property and carry current registration or license plates for use on public highways or waterways. The temporary storage of such objects for the purpose of

loading or unloading for periods not to exceed seventy-two hours within a twenty-one day period shall not be deemed unlawful under the provisions of this section.

(b) No person shall store, keep or maintain in any Administrative Office and Apartment House, Commercial, Retail Business or Research and Development and Limited Manufacturing Districts in the City any of the following objects: self-propelled camper, house trailer, boat trailer, boat, camper trailer, or any other object mounted on wheels and designed to be towed or traileed, unless such object is customary to the use of the business occupying said premises, is stored in the rear yard and any such object so stored, kept or maintained shall be titled to the owner or occupant of such property and carry current registration or license plates for use on public highways or waterways.

and present Section 1373.01 is hereby repealed.

SECTION 2. That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and of any committee that resulted in those formal actions were in meetings open to the public in compliance with law.

SECTION 3. That this ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare, wherefore this ordinance shall be in full force and take effect immediately upon its passage and approval by the Mayor.

PASSED:

PRESIDENT OF COUNCIL

CLERK OF COUNCIL

APPROVED:

MAYOR

6-23-16 LL

ORDINANCE NO.
INTRODUCED BY:

AN ORDINANCE
AMENDING CODIFIED ORDINANCE 1373.01 REGARDING
STORAGE IN FRONT OF BUILDING LINE; EXCEPTIONS,
AND DECLARING AN EMERGENCY

BE IT ORDAINED by the Council of the City of Bay Village, Ohio:

SECTION 1. That Codified Ordinance Section 1373.01 which presently reads as follows:

1373.01 STORAGE IN FRONT OF BUILDING LINE; EXCEPTIONS.

No person shall store, keep or maintain in any residential district in the City any of the following objects: self-propelled camper, house trailer, boat trailer, boat, camper trailer, or any other object mounted on wheels and designed to be towed or trailed, unless the same is stored, kept or maintained within a garage or other enclosed accessory structure permitted by Zoning Ordinance of the City, or unless such object is stored, kept, or maintained in the rear yard area, provided that the object may be stored in the front yard area if the house setback is at least one hundred feet from the street the house faces. In no event shall any such object be stored, kept or maintained less than twelve feet from any property line or less than thirty feet from any abutting street, and any such object so stored, kept or maintained shall be titled to the owner or resident of such property. The temporary storage of such objects for the purpose of loading or unloading for periods not to exceed seventy-two hours within a twenty-one day period shall not be deemed unlawful under the provisions of this section.

(Ord. 05-137. Passed 12-12-05.)

be and the same is amended to read:

1373.01 STORAGE IN FRONT OF BUILDING LINE; EXCEPTIONS.

(a) No person shall store, keep or maintain in any ~~residential~~-district in the City more than one of any of the following objects: self-propelled camper, house trailer, boat trailer, boat, camper trailer, or any other object mounted on wheels and designed to be towed or trailed, unless the same is stored, kept or maintained within a garage or other enclosed accessory structure permitted by Zoning Ordinance of the City, or unless such object is stored, kept, or maintained in the rear yard area, provided that the object may be stored in the front yard area if the house setback is at least one hundred feet from the street the house faces. In no event shall any such object be stored, kept or maintained less than twelve feet from any property line or less than thirty feet from any abutting street, and any such object so stored, kept or maintained shall be titled to the owner or resident of such property and carry current registration or license plates for use on public highways or waterways. The temporary storage of such objects for the purpose of

loading or unloading for periods not to exceed seventy-two hours within a twenty-one day period shall not be deemed unlawful under the provisions of this section.

(b) No person shall store, keep or maintain in any Administrative Office and Apartment House, Commercial, Retail Business or Research and Development and Limited Manufacturing Districts in the City any of the following objects: self-propelled camper, house trailer, boat trailer, boat, camper trailer, or any other object mounted on wheels and designed to be towed or traileed, unless such object is customary to the use of the business occupying said premises, is stored in the rear yard and any such object so stored, kept or maintained shall be titled to the owner or occupant of such property and carry current registration or license plates for use on public highways or waterways.

and present Section 1373.01 is hereby repealed.

SECTION 2. That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and of any committee that resulted in those formal actions were in meetings open to the public in compliance with law.

SECTION 3. That this ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare, wherefore this ordinance shall be in full force and take effect immediately upon its passage and approval by the Mayor.

PASSED:

PRESIDENT OF COUNCIL

CLERK OF COUNCIL

APPROVED:

MAYOR

6-23-16 LL

ORDINANCE NO.
INTRODUCED BY:

AN ORDINANCE
AMENDING CODIFIED ORDINANCE 1373.01 REGARDING
STORAGE IN FRONT OF BUILDING LINE; EXCEPTIONS,
AND DECLARING AN EMERGENCY

BE IT ORDAINED by the Council of the City of Bay Village, Ohio:

SECTION 1. That Codified Ordinance Section 1373.01 which presently reads as follows:

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(Ord. 05-137. Passed 12-12-05.)

be and the same is amended to read:

1373.01 STORAGE IN FRONT OF BUILDING LINE; EXCEPTIONS.

(a) No person shall store, keep or maintain in any ~~residential~~-district in the City more than one of any of the following objects: self-propelled camper, house trailer, boat trailer, boat, camper trailer, or any other object mounted on wheels and designed to be towed or trailed, unless the same is stored, kept or maintained within a garage or other enclosed accessory structure permitted by Zoning Ordinance of the City, or unless such object is stored, kept, or maintained in the rear yard area, provided that the object may be stored in the front yard area if the house setback is at least one hundred feet from the street the house faces. In no event shall any such object be stored, kept or maintained less than twelve feet from any property line or less than thirty feet from any abutting street, and any such object so stored, kept or maintained shall be titled to the owner or resident of such property and carry current registration or license plates for use on public highways or waterways. The temporary storage of such objects for the purpose of

loading or unloading for periods not to exceed seventy-two hours within a twenty-one day period shall not be deemed unlawful under the provisions of this section.

(b) No person shall store, keep or maintain in any Administrative Office and Apartment House, Commercial, Retail Business or Research and Development and Limited Manufacturing Districts in the City any of the following objects: self-propelled camper, house trailer, boat trailer, boat, camper trailer, or any other object mounted on wheels and designed to be towed or traileed, unless such object is customary to the use of the business occupying said premises, is stored in the rear yard and any such object so stored, kept or maintained shall be titled to the owner or occupant of such property and carry current registration or license plates for use on public highways or waterways.

and present Section 1373.01 is hereby repealed.

SECTION 2. That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and of any committee that resulted in those formal actions were in meetings open to the public in compliance with law.

SECTION 3. That this ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare, wherefore this ordinance shall be in full force and take effect immediately upon its passage and approval by the Mayor.

PASSED:

PRESIDENT OF COUNCIL

CLERK OF COUNCIL

APPROVED:

MAYOR

6-23-16 LL

ORDINANCE NO.
INTRODUCED BY:

AN ORDINANCE
AMENDING CODIFIED ORDINANCE 1373.01 REGARDING
STORAGE IN FRONT OF BUILDING LINE; EXCEPTIONS,
AND DECLARING AN EMERGENCY

BE IT ORDAINED by the Council of the City of Bay Village, Ohio:

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SECTION 2. That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and of any committee that resulted in those formal actions were in meetings open to the public in compliance with law.

SECTION 3. That this ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare, wherefore this ordinance shall be in full force and take effect immediately upon its passage and approval by the Mayor.

PASSED:

PRESIDENT OF COUNCIL

CLERK OF COUNCIL

APPROVED:

MAYOR

6-23-16 LL