

First Reading: January 14, 2013
Second Reading: February 11, 2013
Third Reading: March 11, 2013

PASSED: March 11, 2013
BY: Muething

ORDINANCE NO. 2013-02

ORDINANCE REVISING PROCEDURES FOR ENFORCEMENT AND
ABATEMENT NUISANCES AND VIOLATIONS OF THE
PROPERTY MAINTENANCE CODE

WHEREAS, Amberley Village is a unique community blessed with beautiful landscapes and aesthetics making it an attractive place to live and raise a family;

WHEREAS, in order to maintain the appearance of property in the Village and sustain high property values, it is necessary to have regulations in place to enable the Village and its residents to establish uniform standards concerning nuisances and property maintenance requirements that can be enforced by the Village;

WHEREAS, such standards include, but are not limited to, those which protect residents and the public from hazardous or undesirable conditions which threaten the health, safety, and welfare, and avoid damage to persons or property; those which ensure the maintenance of property in good and safe condition and promote an attractive community appearance; those which enhance the economic value of the community and property in the Village;

WHEREAS, in the furtherance of protecting the health, safety, and welfare of the Village and its residents, Council determines it necessary to amend and improve the Village nuisance ordinance and Property Maintenance Code to clarify certain violations as well as the procedures for enforcing such violations;

NOW, THEREFORE, BE IT ORDAINED BY THE Council of Amberley Village, State of Ohio, seven (7) members elected thereto concurring:

SECTION 1: Section 95.40 of the Municipal Code of Ordinances is amended to read as follows:

§ 95.40 ~~KEEPING DOWN WEEDS~~ NOXIOUS WEEDS.

(A) Any person owning or having charge of land within the municipality, shall keep the property free and clear from all noxious weeds and rank vegetation ~~and shall be required to cut all such weeds and vegetation on the lots owned or controlled by him at least twice in every year, once between June 1 and July 1 and once between August 1 and September 1.~~

(B) Noxious weeds and rank vegetation shall include but not be limited to:

First Reading: January 14, 2013
Second Reading: February 11, 2013
Third Reading: March 11, 2013

(1) Any weeds such as poison ivy, jimson, burdock, ragweed, thistle, cocklebur, or other weeds of a like kind;

(2) Bushes of the species of tall, common, or European barberry, further known as berberis vulgaris or its horticultural varieties;

~~(3) Any weeds, grass, or plants, other than trees, bushes, flowers, or other ornamental plants, growing to a height exceeding ten inches, except for those areas which have been designated as meadowlands by the Village Council.~~

(43) Any weed or wild growth which, by reason of the pollen or seed spread by it, or the density of its growth, or its unsightliness, injuriously affects the public health, safety or welfare.

(C) All noxious weeds are declared nuisances.

SECTION 2: Section 95.41 of the Municipal Code of Ordinances is amended to read as follows:

§ 95.41 ~~CUTTING AND REMOVING GRASSES AND NOXIOUS WEEDS;~~
DISEASED OR DEAD ~~ELM TREES~~ OR LANDSCAPING TO BE REMOVED.

~~(A) Any person owning or having charge of land within the village shall prevent grass on such land from exceeding a height of ten inches, except for those areas which have been designated as meadowlands by the Village Council, and shall keep such land free and clear from all noxious weeds and rank vegetation and shall control all weeds and vegetation (except trees, shrubs, acceptable flowers and farm crops) from blooming or going to seed, or spreading pollen which may be harmful to human health. For the purposes of this section, the term NOXIOUS shall be deemed to mean harmful or offensive and the term RANK shall be deemed to mean luxuriant in growth.~~

~~(B)~~ (A) The owner of any property within the village upon which is located an elm tree or part thereof, which is infected with Dutch Elm Tree disease, which hereby constitutes a nuisance, shall cause such elm tree to be immediately cut down and all parts thereof to be destroyed or disposed of in such manner as to preclude the transmission of elm tree disease or the harboring, feeding or breeding of the elm tree beetle.

(B) A dead, dying, diseased or hazardous tree, bush, or landscaping on private property may be declared a nuisance and its removal forced if it threatens public streets, public property, or the health, safety, or welfare of persons or private property.

~~(C) Upon determining that grass, noxious weeds or rank vegetation are growing on lands in the village in violation of the provisions of division (A), or there is found to be a violation of division (B), the Village Manager shall cause written notice to be served on~~

First Reading: January 14, 2013
Second Reading: February 11, 2013
Third Reading: March 11, 2013

~~the owner or person having charge of such lands, that such grass must be cut, noxious weeds or rank vegetation cut or controlled within five days after service of such notice. If the owner or person having charge of such land is a nonresident whose address is known, such notice shall be sent to his or her address by certified mail; if unknown, it shall be sufficient to publish the notice once in a newspaper of general circulation in the village.~~

SECTION 3: Section 95.42 of the Municipal Code of Ordinances is amended to read as follows:

§ 95.42 REMOVAL OF LITTER.

(A) Any person owning or having charge of land within the village shall keep such land free of litter, ~~and upon determining that litter exists on any land within the village, the Village Manager shall cause written notice to be served on the owner or person having charge of such land that such litter must be removed within five days after service of the notice. If the owner or person having charge of such land is a nonresident whose address is known, such notice shall be sent to his or her address by certified mail; if unknown, it shall be sufficient to publish the notice once in a newspaper of general circulation in the village.~~

(B) As used in this section LITTER includes in the broadest sense any garbage, rubbish, brush, downed trees or branches, and ~~the like~~ similar items of an unsightly or unsanitary nature.

SECTION 4: Section 95.43 of the Municipal Code of Ordinances, which reads as follows, is repealed:

~~§ 95.43 FEES FOR SERVICE AND RETURN.~~

~~—The Police Chief, any police officer, or Clerk of the Legislative Authority may make service and return of the notice provided for in R.C. § 731.51 and shall be allowed the same fees as that provided for service and return of summons in civil cases before a magistrate.~~

SECTION 5: Section 95.44 of the Municipal Code of Ordinances is amended to read as follows:

~~§ 95.44 PROCEDURE WHEN OWNER FAILS TO COMPLY WITH NOTICE.~~

~~(A) If the owner or person in charge of the lands referred to in § 95.41 and § 95.42 fails to comply with the notice required by such sections, the Village Manager shall~~

First Reading: January 14, 2013
Second Reading: February 11, 2013
Third Reading: March 11, 2013

~~cause such lands to be brought into compliance with the provisions of such sections by village employees or through the employment of outside contractors.~~

~~(B) — When the Village Manager causes lands to be brought into compliance as provided in division (A), a statement of the cost therefore shall be mailed to the owner or person in control of such land by certified mail return receipt requested, the cost to be charged to be the village's actual payroll costs as increased by the percentage of employee benefits, plus reasonable charges for equipment used, plus 15% or the charges of outside contractors plus 15%.~~

§95.44 NOTICE, ENFORCEMENT, AND REMEDIES.

Notices of violation and enforcement of Sections 95.40 to 95.42, including all remedies and rights of the Village, shall follow Sections 159.080 to 159.083 of the Property Maintenance Code.

SECTION 6: Section 95.45 of the Municipal Code of Ordinances, which reads as follows, is repealed:

~~§95.45 WRITTEN RETURN TO COUNTY AUDITOR; AMOUNT, A LIEN UPON PROPERTY.~~

~~— Upon failure of the owner or person in control of land to pay within 30 days the amount of the statement provided for in § 95.44(B), the Village Manager shall make a written return to the County Auditor of the village's actions under §§ 95.41, 95.42, and 95.44, together with the statement of the charges for its services, and such amounts shall be entered upon the tax duplicate as an assessment for grass, weed or vegetation cutting or litter removal and be a lien upon such land from and after the date of entry, and shall be collected as other taxes and returned to the village with the general fund settlements.~~

SECTION 7: Section 159.063 of the Municipal Code of Ordinances is amended to read as follows:

§ 159.063 ~~VIOLATION~~ PENALTIES.

(A) Violation of Chapter. Any person who shall violate a provision of this ~~code~~Chapter, or fail to comply therewith, or with any of the requirements thereof, or with the orders or notices issued under this ~~code~~Chapter, shall be prosecuted within the limits provided by state or local laws. If due notice has been served, Eeach day that a violation continues after ~~due notice has been served~~ the time to remedy the violation expires shall be deemed a separate offense.

(B) Repeat Offender. For each offense after the first violation of this Chapter in any calendar year, the property owner shall be cited and fined \$150.00 as a repeat offender.

First Reading: January 14, 2013
Second Reading: February 11, 2013
Third Reading: March 11, 2013

Each repeat offense may be a violation of a new and separate provision of this Chapter, or of the same provision as any prior offense. For the purposes of this paragraph, notwithstanding paragraph (A) of this section, a repeat offense shall not be deemed to occur each day the violation exists. Instead, a repeat offense is deemed to occur upon each additional notice issued by the Village if the owner does not remedy the violation within the time prescribed by the notice. This penalty supplements and is addition to any other penalty provided for in this Code.

SECTION 8: Section 159.081 of the Municipal Code of Ordinances is amended to read as follows:

§ 159.081 ~~FORM~~NOTICE.

~~Such~~The notice prescribed in § 159.080 shall be in accordance with all of the following:

- (A) Be in writing.
- (B) Include a description of the real estate sufficient for identification.
- (C) Include a statement of the violation or violations and why the notice is being issued.
- (D) Include a correction order allowing a reasonable time to make the repairs and improvements required to bring the ~~dwelling unit or structure property~~ into compliance with the provisions of this code. Violations of Section 159.164 shall be brought into compliance within five days of service of notice.
- (E) Inform the property owner of the right to appeal.
- (F) Include a statement of the right to file a lien in accordance with § 159.062.

SECTION 9: Section 159.082 of the Municipal Code of Ordinances is amended to read as follows:

§159.082 METHOD OF SERVICE.

~~Such notice shall be deemed to be properly served if a copy thereof is:~~

~~(A) Delivered personally;~~

~~(B) Sent by certified or first class mail addressed to the last known address; or~~

~~(C) If the notice is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place on or about the structure affected by such notice.~~

First Reading: January 14, 2013
Second Reading: February 11, 2013
Third Reading: March 11, 2013

(A) Notice as provided in this Chapter, including but not necessarily limited to notices issued under Section 159.035 or 159.080, shall be deemed to be properly served if a copy thereof is delivered by one of the following methods:

(1) Delivered personally;

(2) Sent by certified mail addressed to the subject property; or

(3) Sent by regular first class mail to the subject property and posted on the front door or other conspicuous place on or about the structure.

(B) Notices sent by mail, regular or certified, are deemed to be served three days after the mail is sent. If the mailing address indicated on the County Auditor's website indicates a different address than the subject property, duplicate notice shall be sent by regular first class mail to that address, as well.

(C) If the owner of the subject property as shown on the records of the County Auditor is not a resident of the Village, in addition to the notice required under paragraphs (A) and (B) above, notice shall also be sent to the owner by regular mail to the record address. If the mailing address is unknown, notice shall be published once in a newspaper of general circulation in Hamilton County, with notice to be deemed served on the date of publication.

SECTION 10: Section 159.083 of the Municipal Code of Ordinances is amended to read as follows:

159.083 ~~PENALTIES~~ABATEMENT AND REMEDIATION.

~~Penalties for noncompliance with orders and notices shall be as set forth in § 159.063.~~

(A) In addition to any other remedy provided for in this Code, upon a failure to comply with a notice of violation, a duly authorized employee or contractor hired by the Village shall be authorized to enter upon the subject property to remedy the violation. The costs of such remediation shall be paid by the owner of the property.

(B) A statement of the cost of remediation shall be delivered to the owner in accordance with Section 159.082. Remediation costs may include the cost of personnel, including wages, benefits, and other compensation, reasonable charges for equipment used, and reasonable administrative costs. An administrative fee of 15% of the remediation costs or \$50.00, whichever is greater, shall be added to the costs for which the owner is responsible.

(C) If the remediation costs are not paid within 30 days after service of the statement, the Village shall make a written return to the County Auditor pursuant to Ohio Revised Code Section 731.54. Such amounts shall be entered upon the tax duplicate, shall be a

First Reading: January 14, 2013
Second Reading: February 11, 2013
Third Reading: March 11, 2013

lien upon such lands from the date of the entry, and shall be collected as other taxes and returned to Village's General Fund.

SECTION 11: Section 159.164 of the Municipal Code of Ordinances is amended to read as follows:

§ 159.164 WEEDS.

(A) Except for those areas which have been designated as meadowlands by the Village Council, all premises and exterior property shall be maintained free from weeds ~~or plant growth~~ in excess of ten inches. All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs, provided however, this term shall not include cultivated flowers, decorative grasses and gardens.

~~—(B)— Upon the failure of the owner or agent having charge of a property to cut and destroy weeds after service of a notice of violation, they shall be subject to prosecution in accordance with § 159.062 and as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of violation, and duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the owner or agent responsible for the property.~~

SECTION 12: Section 154.02 of the Municipal Code of Ordinances is amended to read as follows:

§ 154.02 DEFINITIONS.

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

ACCESSORY STRUCTURE. A permanent or portable structure on the same lot with, and of a nature incidental and subordinate to, the use of the principal structure.

BASEMENT. That portion of a building, the floor of which is wholly or partly below the adjoining grade.

BUILDABLE AREA. The portion of a lot remaining after required yards and setbacks have been provided.

BUILDING. Any structure for the shelter, support, or enclosure of persons, animals, or property of any kind. **BUILDING** includes the term **STRUCTURE**.

First Reading: January 14, 2013

Second Reading: February 11, 2013

Third Reading: March 11, 2013

BUILDING, HEIGHT OF. The vertical distance from grade to the highest point of the coping of a flat roof, or to the deck line of a mansard roof, or to the top of the highest gable of pitched or hip roof.

BUS. See ORC Section 4501.01.

CARPORT. A structure with floor and roof and one or more open sides to provide shelter for a motor vehicle.

CONDITIONAL USE. A use of land which may be permitted provided that the Board of Zoning Appeals determines that it is in the interest of the public health, safety and general welfare in accordance with the provisions of § 154.661.

DISTRICT. Any section of the village for which there are uniform regulations governing the height, area, and use of buildings and of land.

DRIVE, PRIVATE. A nondedicated street or common driveway restricted as to use.

DWELLING. Any building or portion thereof, designed or used exclusively for residential purposes.

DWELLING, ONE-FAMILY. A building designed for or occupied exclusively by one family.

FAMILY. One or more persons occupying a single dwelling unit, provided that all members are related by blood, adoption or marriage, and further provided that domestic servants employed on the premises may be housed on the premises.

FAMILY PETS. Small animals kept in or around a family home and are customarily animals such as dogs, cats and small furry animals and does not include any animal except a dog which when grown to maturity weighs more than 30 pounds.

FARM. An undivided parcel of land used primarily for agricultural and livestock purposes containing one or more dwellings and such accessory structures as may be required by use of the property. Only products produced on the premises may be sold thereon.

FARM ANIMAL. A farm animal is any type of animal customarily raised for profit except riding horses which are not maintained for commercial purposes.

FENCE. A barrier intended to enclose or restrict access to an area or mark a boundary constructed of wood, wire, or other material supported on posts.

FIFTH WHEEL TRAILER. See ORC Section 4501.01.

First Reading: January 14, 2013

Second Reading: February 11, 2013

Third Reading: March 11, 2013

GARAGE, PRIVATE. An accessory structure or building, or a structure or building that is a part of or attached to a dwelling, located in a residence district, and which is designed or used for storage of automobiles, other motor driven vehicles or trailers.

GRADE. The average level of the finished surface of the ground adjoining a building.

HOME OCCUPATION. A professional or business activity conducted in a dwelling unit.

LOT. Includes the words **PLOT**, **PARCEL**, and **PREMISES**, and is a parcel of land of at least sufficient size to meet minimum zoning set back requirements for use, coverage, and area, and to provide such yards, and other open spaces as are herein required, and intended for buildings. The total area to be occupied by such buildings and accessory structures shall not exceed 50% of the total area of such lot. Such lot shall have frontage or contact (private drive or panhandle lot) on a dedicated public street, and may consist of:

- (1) A single lot of record;
- (2) A portion of a lot or record;
- (3) A combination of complete lots of record, of complete lots of record and portions of lots of record, or of portions of lots of record;
- (4) A parcel of land described by metes and bounds; provided that in no case of division or combination shall any residual lot or parcel be created which does not meet the requirements of this Zoning Code.

LOT, CORNER. A lot abutting on two or more streets at their intersection, provided the interior angle formed thereby is 135 degrees or less.

LOT, DOUBLE-FRONTAGE or THROUGH LOT. A lot other than a corner lot abutting on two streets.

LOT, INTERIOR. A lot other than a corner lot with only one frontage on a street.

LOT FRONTAGE. That portion of a lot adjacent to a street or private drive. For the purpose of determining yard requirements on corner lots and through lots, all sides of a lot adjacent to streets or private drives shall be considered frontage.

LOT LINES. Lines bounding a lot.

LOT MEASUREMENTS. Shall include the following:

First Reading: January 14, 2013

Second Reading: February 11, 2013

Third Reading: March 11, 2013

(1) The DEPTH of a lot shall be considered to be the distance between the midpoints of straight lines connecting the foremost points of the side lot lines in front and the rearmost points of the side lot lines in the rear.

(2) The WIDTH of a lot shall be considered to be the distance between straight lines connecting front and rear lot lines at each side of the lot, measured across the rear of the required front yard. However, width between side lot lines at their foremost point (where they intersect with the right-of-way) shall not be less than 80% of the required lot width, except in the case of lots on the turning circle of cul-de-sacs, where the 80% requirement shall not apply.

LOT, PANHANDLE. A lot being otherwise landlocked, having a portion of its area extending in a narrow strip to a frontage on a street or drive for the purpose of providing an access to it.

LOT OF RECORD. A lot which is part of a subdivision recorded in the office of the Hamilton County Recorder, or a lot or parcel described by metes and bounds, the description of which has been so recorded.

MOBILE HOME. See ORC Section 4501.01.

MOTOR HOME. See ORC Section 4501.01.

MOTOR VEHICLE. See ORC Section 4501.01.

NONCOMMERCIAL TRAILER. See ORC Section 4501.01.

NONCONFORMING USE. A non-permitted activity in a structure on a lot or in a district.

NONCONFORMITY. A non-permitted land area or structure setback.

PARCEL, PREMISES. See LOT.

PARK TRAILER. See ORC Section 4501.01.

PARKING SPACE, OFF-STREET. A space adequate for parking an automobile with room for opening doors on both sides, together with properly related access to a public or private street and maneuvering room. Required off-street parking areas for three or more automobiles shall have individual spaces marked, and shall be designed, maintained, and regulated so that no parking or maneuvering incidental to parking shall be on any public or private street, or walkway, and so that any automobile may be parked and unparked without moving another. For purposes of rough computation, an off-street parking space and necessary access and maneuvering room may be estimated at 300 square feet, but off-street parking requirements will be considered to be met only when actual spaces

First Reading: January 14, 2013
Second Reading: February 11, 2013
Third Reading: March 11, 2013

meeting the requirements above are provided and maintained, improved in a manner appropriate to the circumstances of the case and in accordance with all ordinances and regulations of the village.

PETITION. A proposal to amend or modify the Zoning Code that has been filed with the Clerk of Council, accompanied by a proposed ordinance effecting the change desired and by such other information and data as the Planning Commission shall designate. PETITION as used in this chapter shall not mean or pertain to a proposed change to the Zoning Code initiated by Council or the Planning Commission.

RECREATIONAL VEHICLE. See ORC Section 4501.01.

RIGHT-OF-WAY. A publicly owned strip of land 50 feet or more in width between property lines which provides or is intended to provide public vehicular and/or pedestrian traffic.

SEMITRAILER. See ORC Section 4501.01.

SET-BACK. The distances from structures to right-of-way and/or lot lines.

SIGN. Any device designed to inform or attract the attention of persons not on the premises on which the sign is located. However, the following shall not be included in the application of the regulations herein:

- (1) Signs not exceeding one square foot in area and bearing only property numbers, name of occupants of premises, or other identification of premises not having commercial connotations;
- (2) Flags and insignia of any government, except when displayed in connection with commercial promotion;
- (3) Legal notices; identification, informational, or directional signs erected or required by governmental bodies;
- (4) Integral decorative or architectural features of buildings;
- (5) Signs directing and guiding traffic and parking on private property, but bearing no advertising matter.

STORY. That portion of a building included between the surface of any floor and the surface of the floor next above it; or if there is no floor above it, then the space between the floor and the ceiling next above it.

STORY, HALF. A story with at least two opposite exterior sides meeting a sloping roof not more than two feet above the floor of such story.

First Reading: January 14, 2013

Second Reading: February 11, 2013

Third Reading: March 11, 2013

STREET. A paved or improved area which provides for public vehicular traffic.

STREET LINE. The right-of-way line (lot front line: on either side of a street.)

STRUCTURE. Anything constructed or erected with a fixed location on the ground or attached to something having a fixed location on the ground, including buildings, walls, fences, swimming pools, radio towers, patios, and porches, but not including driveways, sidewalks, or other facilities, the sole purpose of which is to provide customary access to any structures.

STRUCTURAL ALTERATIONS. Any change in the supporting members of a building, such as bearing walls or partitions, columns, beams or girders, or any substantial change in the roof or exterior walls.

TRAILER. See ORC Section 4501.01.

~~**TRAVEL TRAILER.** A vehicular, portable structure built on a chassis, designed to be used as a temporary dwelling for travel and recreational purposes, having a body width not exceeding eight feet.~~See ORC Section 4501.01.

TRUCK CAMPER. See ORC Section 4501.01.

USED or OCCUPIED. Includes the words "intended," "designed" or "arranged to be used or occupied."

VARIANCE. A relaxation of the terms of the Zoning Code where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of the Zoning Code would result in unnecessary and undue hardships or practical difficulties. A variance is authorized only for height, area, and size of structure or size of yards and open spaces. Establishment or expansion of a use otherwise prohibited shall not be allowed by variance, nor shall a variance be granted because of the presence of nonconformities in the zoning district which are not on the applicant's property or uses in an adjoining zoning district.

VEHICLE. See ORC Section 4501.01.

YARD. A required open space between the principal building and the adjoining lot lines unoccupied and unobstructed by any structure or portion of a structure. However, fences, walls, poles, posts, and other customary yard accessories, ornaments, and furniture may be permitted in any yard, subject to height limitations and requirements limiting obstructions of visibility.

First Reading: January 14, 2013

Second Reading: February 11, 2013

Third Reading: March 11, 2013

YARD, FRONT. A yard extending between side lot lines across the front of a lot adjoining a public street.

(1) In any required front yard, no fence or wall shall be permitted, and no hedge or other vegetation shall be permitted which materially impedes vision across such yard between heights of 30 inches and ten feet.

(2) In the case of double frontage lots, front yards of the required depth shall be provided on all frontages.

(3) In the case of corner lots, a front yard of the required depth shall be provided on both frontages.

(4) The depth of required front yards shall be measured at right angles to a straight line adjoining the foremost points of the side lot lines. The foremost point of the side lot line, in the case of rounded property corners at street intersections, shall be assumed to be the point at which the side and front lines would have met without such rounding. Front and rear front yard lines shall be parallel.

YARD, REAR. A yard extending across the rear of the lot between inner side yard lines.

(1) In the case of double frontage lots there will be no rear yards, but only front and side yards.

(2) In the case of corner lots there will be one rear yard and one side yard to be proposed by the property owner and approved by the village.

(3) The depth of a required rear yard shall be measured at right angles to a straight line adjoining the rear most points of the side lot lines. Front and rear yard lines shall be parallel.

YARD, SIDE. A yard extending along the full depth of the lot, and being the least distance between the side lot line and the principal building. The width of a required side yard shall be measured in such a manner that the yard established is a strip of the minimum width required by district regulations with its inner edge parallel with the side lot line.

WALL. Walls (other than retaining walls) shall not exceed four and one-half feet in height.

SECTION 13: Section 154.16 of the Municipal Code of Ordinances is amended to read as follows:

First Reading: January 14, 2013

Second Reading: February 11, 2013

Third Reading: March 11, 2013

§ 154.16 PARKING, STORAGE, OR USE OF MAJOR RECREATIONAL
~~EQUIPMENT VEHICLES.~~

(A) For purposes of these regulations, MAJOR RECREATIONAL ~~EQUIPMENT VEHICLE~~ includes ~~boats and boat trailers, travel trailers, and the like, boats, boat trailers, buses, trailers, noncommercial trailers, mobile homes, semitrailers, recreational vehicles, travel trailers, motor homes, truck campers, fifth wheel trailers, park trailers,~~ and cases or boxes used for transporting ~~major recreational equipment, vehicles~~ whether occupied by such ~~equipment vehicles~~ or not.

(B) No major recreational ~~equipment vehicle~~ shall be parked or stored on any lot in a residential district except in an enclosed building. However, such ~~equipment vehicles~~ may be parked anywhere on residential premises for not to exceed 24 hours during loading or unloading. No such ~~equipment vehicle~~ shall be used for living, sleeping, or housekeeping purposes when parked or stored on a residential lot.

SECTION 14: That this Ordinance shall take effect and be in force at the earliest date allowed by law.

Passed this 11th day of March, 2013.

Mayor Byar

Attest:

Nicole Browder, Clerk of Council

Ordinance Vote:

Moved: Muething Second: Hattenbach

Byar	Aye
Wolf	Aye
Hattenbach	Aye
Muething	Aye
Bardach	Aye
Warren	Aye
Doering	Aye

First Reading: January 14, 2013

Second Reading: February 11, 2013

Third Reading: March 11, 2013

I, Clerk of Council of Amberley Village, Ohio, certify that on the ____ day of March 2013 the forgoing Ordinance was published pursuant to Article IX of the Home Rule Charter by posting true copies of said Ordinance at all of the places of public notice as designed by Sec. 31.40(B), Code of Ordinances.

Nicole Browder, Clerk of Council