

PASSED: January 11, 2021
BY: Bardach

ORDINANCE NO. 2021-4

**ORDINANCE TO REPEAL SECTION 95.61 AND AMEND SECTION 159.168
OF THE VILLAGE ZONING CODE**

WHEREAS, the Village of Amberley maintains a Zoning Code in order to promote the health, safety, and welfare of residents and the community and to protect and preserve property values and the quality of the residential environment;

WHEREAS, during staff's review and readings of changes to other portions of the Zoning Code, it has been discovered that there is some duplication and possible conflict between two sections of the Village's Zoning Code relating to the presence of inoperable motor vehicles on residential property;

WHEREAS, the Village desires to maintain consistency in the adoption and implementation of its Zoning Code;

WHEREAS, the Law Committee, in consultation with staff, recommended adopting changes to the Zoning Code to eliminate duplication and inconsistency;

WHEREAS, Council finds and determines that the proposed changes serve the public interest and protect the health, safety, and welfare of the residents and community;

WHEREAS, Council finds and determines that the proposed changes eliminate duplication, promote consistency, and constitute measured and reasonable restrictions on the use of one's property in order to balance and protect the rights of residents, neighboring property owners, and the community as a whole;

NOW, THEREFORE, BE IT ORDAINED BY THE Council of Amberley Village, State of Ohio, six (6) members elected thereto concurring:

SECTION 1: Section 95.61 of the Municipal Code of Ordinances titled "Prohibition Concerning Motor Vehicles" is repealed in its entirety.

SECTION 2: Section 159.168 of the Municipal Code of Ordinances, titled "Motor Vehicles" is amended to state as follows:

§ 159.168 MOTOR VEHICLES.

(A) Except as provided for in other regulations, no inoperative or unlicensed motor vehicle, vehicle in a state of disassembly or disrepair, trailer, or automobile parts shall be parked, kept, or stored on any premises unless they are

contained in a completely enclosed building. Painting of vehicles is prohibited unless conducted inside an approved spray booth.

(B) No motor vehicle shall be parked on the grass, any other non-paved surface, or any place not specifically designed for motor vehicle traffic or parking at any time, except, motor vehicles may be parked on grass for a period of time not to exceed six hours for parties, events or religious observances in which case they may be parked on grass only for the duration of the party, event or religious observance.

(C) Violations of the provisions contained in this Section will be addressed through the notice, enforcement, and penalty provisions contained in §§ 159.030 – 159.037, §§ 159.06 – 159.064, and §§ 159.080 – 159.084 of the Village Code.

SECTION 3: This Ordinance shall take effect and be enforced from and after the earliest period allowed by law.

Passed this 11th day of January, 2021.

Mayor Thomas C. Muething

Attest:

Tammy Reasoner, Clerk of Council

Ordinance Vote:

Moved: Bardach Seconded: Kamine

Muething	Aye
Wolf	Aye
Bardach	Aye
Conway	Aye
Kamine	Aye
Warren	Aye

I, Clerk of Council of Amberley Village, Ohio, certify that on the 11th day of January, 2021, the foregoing 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.

Tammy Reasoner, Clerk of Council