

RECORD OF ORDINANCES

Dayton Legal Blank Co.

Form No. 30043

Ordinance No. 28-2001

Passed Nov. 8

2001
YEAR

ORDINANCE NO. 28-2001

AN ORDINANCE REQUIRING THE MOWING OF WEEDS IN THE VILLAGE OF BRADNER AND DECLARING AN EMERGENCY.

BE IT ORDERED BY THE COUNCIL OF THE VILLAGE OF BRADNER, WOOD COUNTY, OHIO:

SECTION I: That the following provisions requiring the mowing of weeds in the Village of Bradner, providing notice of violations and establishing penalties therefore, shall be adopted:

"Keeping Down Weeds

A.) Any person owning or having charge of land within the municipality shall keep said property free and clear from all noxious weeds and rank vegetation including grasses and shall be required to cut and destroy all such weeds, vegetation and grass on said lots owned or controlled by said person prior to such time that said weeds, grass or vegetative material are about to spread or mature seeds, or at any time that said weeds, vegetative material or grass grows to a height from ground level of twelve (12) inches or more.

B.) The Clerk or the Zoning Inspector of the Village shall cause a written notice to be served upon the owner, lessee, agent or tenant having charge of such land notifying said person that such weeds, grass or vegetative materials are growing on such land and that they must be cut or destroyed within five (5) days after service of such notice. If such owner or other person having charge of such lands is a non-resident whose address is known, such notice shall be sent to said address by Certificate of Mailing; if the address of such owner is unknown, then it shall be sufficient to post such notice on the property where the violation has occurred. If such owner or other person having charge of such lands is a resident of the Village whose address is known, the notice shall be served by leaving a copy at said person's residence address.

C.) The Zoning Inspector or any police officer may complete the service of the notice required by Paragraph B and shall make his return to the Clerk of the Village.

D.) If the owner, lessee, agent, tenant or other person having charge of lands referred to herein fails to comply with such notice, Village Council may cause said weeds, grass or vegetative material to be cut and destroyed and the expenses so incurred shall be approved by Council and paid out of the treasury of the Village.

E.) The Village shall bill the property owner and/or other responsible party at the minimum rate of \$50 per hour or the actual cost if more, for weed or grass cutting on private property performed by Village Crews or by hired Contractors pursuant to paragraph D above.

F.) The Village Clerk shall send written return to the County Auditor of the actions of Council with a statement for the charges for said services, the amount paid for the performance of such labor if more then the minimum hourly charges established in (E) above, and the fees of the officers who made the service of the notice and return, together with a proper description of the premises along with a request that such amount be entered upon the tax duplicate to become a lien upon such lands from and after the date of the entry and to be collected as other taxes and returned to the Village according to law.

RECORD OF ORDINANCES

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Form No. 30043

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G.) Any owner, lessee, agent, tenant or other person having charge of land within the Village who fails to cut and destroy noxious weeds, grass or other vegetative material after being served with notice as required by this Section, is guilty of a minor misdemeanor. Each day's continued violation shall be a separate offense.

H.) The land and property referred to in Paragraphs A through F to be kept free from noxious weeds, rank vegetation and grasses in excess of twelve (12) inches in height shall include that area between the paved portion of the adjacent street or alley and the adjacent property line which would be included within boundary lines of the dedicated street or adjacent public right-of-way and which commonly includes the curb, gutter, tree lawn, and sidewalk, if any.

I.) **Penalty.** Whoever shall violate any provision of this Ordinance for which no other penalty is provided shall be punished as a minor misdemeanor. Each day of violation shall constitute a separate offense.

SECTION II. Any previous Ordinance that is inconsistent with any provision of this Ordinance shall be and the same is hereby repealed.

SECTION III. This Ordinance is an emergency measure and shall go into force and effect immediately on its passage. The reason for the emergency is that certain properties in the Village have tall weeds that are creating a traffic and health hazard and need immediate attention.

PASSED: Nov. 8, 2001

ATTEST: Janice A. Stump
Clerk

APPROVED: Nov. 8, 2001
Date

Richard R. Joseph
Mayor

CHESTER H. MARCIN,
VILLAGE LEGAL COUNSEL

CERTIFICATE OF AUTHENTICITY AND PUBLICATION

I, Janice Stump, duly elected Clerk-Treasurer, do hereby certify that the foregoing Ord. No. 28-2001 is a true and correct copy of the same and that it was duly passed by Bradner Village Council on 09-08-01. I further certify that the foregoing Ord. No. 28-2001 was duly published according to Ord. 4-78 on the following date: Nov. 9, 2001.

Janice Stump
Janice Stump

RECORD OF ORDINANCES

Dayton Legal Blank Co.

Form No. 30043

Ordinance No. 13-96

Passed

OCTOBER 17,

19 96

ORDINANCE NO. 13-96

AN ORDINANCE AMENDING CHAPTER 660 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF BRADNER RELATING TO SAFETY, SANITATION, AND HEALTH.

WHEREAS, the Council of the Village of Bradner has determined that there is a need for more specific sections defining violations involving nuisances on properties that are in disrepair in the Village; and

WHEREAS, Council has determined that the Zoning Inspector should be assigned the duties and responsibilities for enforcement of these provisions concurrently with the Bradner Police Department.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF BRADNER, WOOD COUNTY, OHIO:

SECTION I. That the following codified ordinance provisions shall be and the same hereby are adopted.

"660.14 LITTER ON PRIVATE PROPERTY

- (a) No person shall throw or deposit litter on any private property, including any vacant lot within the Village, whether owned by such person or not, except that the owner or person in control of private property may maintain authorized private receptacles for collection in such manner that litter will be prevented from being carried or deposited by the elements upon any street, sidewalk, or other public place, or upon any private property.
- (b) Whoever violates this section is guilty on a minor misdemeanor of a first offense; on each subsequent offense such person is guilty of a misdemeanor of the fourth degree; each day the violation continues shall constitute a separate offense.

660.15 LITTER OR NOXIOUS WEEDS; NOTICE TO REMOVE; FAILURE TO COMPLY

- (a) No person shall permit noxious weeds to grow on property owned or that is occupied or under the control of said person.
- (b) The Village Zoning Inspector, the Village Building Inspector, the Clerk of the Village, the Village legal counsel, or any police officer is authorized to give notice as provided by Revised Code Section 731.51 to the owner, lessee, agent, or tenant, having charge of land to remove noxious weeds or litter.
- (c) If such person receiving notice does not remove the noxious weeds within five (5) days after service of such notice, or if such person receiving notice does not remove the litter within fifteen (15) days after service of such notice, the Village may cause such noxious weeds to be cut and destroyed or such litter removed and shall certify the cost of such services and labor for each parcel to the Council annually so that such charges can be certified to the County Auditor to be entered upon the tax duplicate to become a lien upon such lands from and after the date of entry and to be collected as other taxes and returned to the Village according to law.
- (d) Whoever violates this section is guilty on a minor misdemeanor of a first offense; on each subsequent offense such person is

RECORD OF ORDINANCES

Ordinance No. 13-96 Passed OCTOBER 17, 19 96

guilty of a misdemeanor of the fourth degree; each day the violation continues shall constitute a separate offense.

Note: The notice required by the Ohio Revised Code §731.51 requires a written notice to be served on the owner, lessee, agent or tenant having charge of the land notifying him of the weeds or the litter and giving the prescribed five (5) or fifteen (15) days to correct the problem. The notice may be hand delivered or served by a police officer.

If the owner or other person in charge of the land is not a resident of the municipality certified mail notice is required to his known address. If his address is unknown, notice published once in a newspaper of general circulation complies with the Ohio Revised Code Section.

660.16 DILAPIDATED BUILDINGS AND STRUCTURES

- (a) No owner of a building or structure within the Village shall permit the same to exist in such a state of disrepair as to materially interfere with a peaceful enjoyment of adjacent property owners, or create a fire, safety, or health hazard, or constitute a public nuisance. Any of the following conditions shall constitute a public nuisance in violation of this section:
- (1) loose bricks which are displaced from exterior walls or chimneys;
 - (2) cornices or gutters which are sagging or have fallen from the structure;
 - (3) windows which contain broken and jagged glass;
 - (4) open holes on the exterior of the structure whereby the interior can be viewed;
 - (5) exterior stairs, porches, balconies, or steps which are in such a condition as to be unsafe to persons using them or to passerby;
 - (6) foundations and retaining walls which are caving in;
 - (7) any attached structures which have collapsed or are falling in;
 - (8) exterior wood or exterior unfinished surfaces which are rotting or decaying due to the lack of paint or other proper protective coatings or coverings;
 - (9) any structure which is vacant and does not have windows, doors, or other openings properly secured;
 - (10) roofs which have loose shingles, have holes, have collapsed and are falling in, or are otherwise not weather tight;
 - (11) any other state of disrepair which could cause injury or damage to persons or property using the streets or public ways which adjoin the property.
- (b) Whoever violates this section is guilty on a minor misdemeanor of a first offense; on each subsequent offense such person is guilty of a misdemeanor of the fourth degree; each day the violation continues shall constitute a separate offense.

660.17 ZONING INSPECTOR'S AUTHORITY

- (a) The Village Zoning Inspector shall have authority to inspect for

Ordinance No. 13-96

Passed

OCTOBER 17,

19 96

ORDINANCE NO. 13-96

AN ORDINANCE AMENDING CHAPTER 660 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF BRADNER RELATING TO SAFETY, SANITATION, AND HEALTH.

WHEREAS, the Council of the Village of Bradner has determined that there is a need for more specific sections defining violations involving nuisances on properties that are in disrepair in the Village; and

WHEREAS, Council has determined that the Zoning Inspector should be assigned the duties and responsibilities for enforcement of these provisions concurrently with the Bradner Police Department.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF BRADNER, WOOD COUNTY, OHIO:

SECTION I. That the following codified ordinance provisions shall be and the same hereby are adopted.

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- (a) No person shall permit noxious weeds to grow on property owned or that is occupied or under the control of said person.
- (b) The Village Zoning Inspector, the Village Building Inspector, the Clerk of the Village, the Village legal counsel, or any police officer is authorized to give notice as provided by Revised Code Section 731.51 to the owner, lessee, agent, or tenant, having charge of land to remove noxious weeds or litter.
- (c) If such person receiving notice does not remove the noxious weeds within five (5) days after service of such notice, or if such person receiving notice does not remove the litter within fifteen (15) days after service of such notice, the Village may cause such noxious weeds to be cut and destroyed or such litter removed and shall certify the cost of such services and labor for each parcel to the Council annually so that such charges can be certified to the County Auditor to be entered upon the tax duplicate to become a lien upon such lands from and after the date of entry and to be collected as other taxes and returned to the Village according to law.
- (d) Whoever violates this section is guilty on a minor misdemeanor of a first offense; on each subsequent offense such person is

RECORD OF ORDINANCES

Ordinance No. 13-96 Passed OCTOBER 17, 19 96

guilty of a misdemeanor of the fourth degree; each day the violation continues shall constitute a separate offense.

Note: The notice required by the Ohio Revised Code §731.51 requires a written notice to be served on the owner, lessee, agent or tenant having charge of the land notifying him of the weeds or the litter and giving the prescribed five (5) or fifteen (15) days to correct the problem. The notice may be hand delivered or served by a police officer.

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 - (2) cornices or gutters which are sagging or have fallen from the structure;
 - (3) windows which contain broken and jagged glass;
 - (4) open holes on the exterior of the structure whereby the interior can be viewed;
 - (5) exterior stairs, porches, balconies, or steps which are in such a condition as to be unsafe to persons using them or to passerby;
 - (6) foundations and retaining walls which are caving in;
 - (7) any attached structures which have collapsed or are falling in;
 - (8) exterior wood or exterior unfinished surfaces which are rotting or decaying due to the lack of paint or other proper protective coatings or coverings;
 - (9) any structure which is vacant and does not have windows, doors, or other openings properly secured;
 - (10) roofs which have loose shingles, have holes, have collapsed and are falling in, or are otherwise not weather tight;
 - (11) any other state of disrepair which could cause injury or damage to persons or property using the streets or public ways which adjoin the property.
- (b) Whoever violates this section is guilty on a minor misdemeanor of a first offense; on each subsequent offense such person is guilty of a misdemeanor of the fourth degree; each day the violation continues shall constitute a separate offense.

660.17 ZONING INSPECTOR'S AUTHORITY

- (a) The Village Zoning Inspector shall have authority to inspect for

RECORD OF ORDINANCES

Dayton Legal Blank Co.

Form No. 30043

Ordinance No. 11-96

Passed September 19, 19 96

ORDINANCE NO. 11-96

ORDINANCE DEFINING THE DUTIES AND RESPONSIBILITIES OF THE VILLAGE OF BRADNER ZONING AND PROPERTY ENFORCEMENT OFFICER AND TO DECLARE AN EMERGENCY.

WHEREAS, the Village of Bradner adopted "Land Use Regulations" which include a zoning ordinance and subdivision regulations; and

WHEREAS, the Village Council has determined that it would be in the best interest of the citizens of the Village to establish a job description for the position of Zoning and Building Enforcement Officer; and

WHEREAS, the Village Zoning Ordinance at Section 10.5.1 recognizes the authority of Council to establish said position.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF BRADNER, WOOD COUNTY, OHIO:

Section I. That the position of Zoning and Building Enforcement Officer is hereby established. Said position shall also be known as the "Zoning Inspector". The compensation and work schedule for said position shall be determined from time to time by Village Council.

Section II. The duties and responsibilities of the Village Zoning and Building Enforcement Officer also known as the Zoning Inspector, shall include:

a.) Review of all applications for permits required to be obtained pursuant to the Village Zoning Ordinance and the Village subdivision regulations; and review of all plans and drawings required to be submitted pursuant to said ordinances.

b.) Said officer is authorized to enforce all of the provisions of the Zoning Code and Subdivision Regulations, including the authority to issue permits or deny the issuance of permits that do not meet the terms of said ordinances; and shall have the authority to prepare and issue notices of violations and the authority to sign and file citations or complaints charging violations of said ordinance and regulations, either in the Village Magistrate's Court, or in the Municipal Court.

Section III. Said officer shall have the further authority to enforce all Village Ordinances and State laws relating to the use of property, including all provisions of Chapter 660 of the Village Codified Ordinances. This enforcement authority is not intended to be exclusive and shall not limit the authority of police officers, county building inspectors, or other persons to enforce the same or similar laws and regulations. Nothing in this ordinance shall be interpreted as granting to the Zoning Inspector police powers such as the power to arrest.

Section IV. This Ordinance is an emergency measure and shall go into immediate effect on its passage and approval by the Mayor. The reason for the emergency is that it is urgently necessary to define the position of Zoning Inspector in order that a person appointed to said position may immediately commence service with the Village, thus insuring the fair

RECORD OF ORDINANCES

Dayton Legal Blank Co.

Form No. 30043

Ordinance No. 11-96

Passed September 19, 19 96

and uniform enforcement of the Village Zoning Ordinance, subdivision regulations, and other laws protecting the welfare of the citizens of the Village of Bradner.

PASSED: 9-19-96

David G. Shultz
President of Council

ATTEST:

Janice A. Stump
Clerk

APPROVED: September 19, 1996
Date

Richard R. Teepe
Mayor

CHESTER H. MARCIN
VILLAGE LEGAL COUNSEL

CERTIFICATE OF AUTHENTICITY AND PUBLICATION

I, Janice Stump, duly elected Clerk-Treasurer, do hereby certify that the foregoing Ord. No. 11-96 is a true and correct copy of the same and that it was duly passed by Bradner Village Council on 9-19-96. I further certify that the foregoing Ord. No. 11-96 was duly published according to Ord. 4-78 on the following date: 10-11-96.

Janice A. Stump
Janice Stump

RECORD OF ORDINANCES

267

Dayton Legal Blank Co.

Form No. 30043

Ordinance No. 4-96

Passed

APRIL 17,

19 96

ORDINANCE NO. 4-96

ORDINANCE AMENDING THE VILLAGE OF BRADNER ZONING REGULATIONS CONTAINED IN ORDINANCE #16-90

WHEREAS, the Planning Commission of the Village of Bradner, Ohio has recommended changes in the Zoning Regulations, after a public hearing on all proposed amendments to the text of the Zoning Regulations; and

WHEREAS, the public necessity, convenience, general welfare and good zoning practices require that the changes indicated herein be made;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF BRADNER, COUNTY OF WOOD, AND STATE OF OHIO:

Section I. That Section 5.4.2f of the Zoning Regulations shall be amended to read as follows:

Recreational vehicles, boats, boat trailers and/or utility trailers shall not be parked or stored in a front yard of any "R-1, R-3, or MHD" district, nor in a "R-B" district on lots of less than one (1) acre in area, except when loading and unloading for a temporary period not to exceed seventy-two (72) hours. Recreational vehicles, including individual motor homes and travel trailers, may be stored in the side yard driveway or in the rear yard, and shall be behind the front building line. A maximum of two (2) of the above vehicles/trailers may be stored in the appropriate yard. Recreational vehicles, including motor homes or travel trailers, shall not be inhabited for residential or business purposes, nor used for manufacturing in any district, except that relatives or friends of the property owner will be permitted to reside in a recreational vehicle parked in the driveway or side yard for a period not to exceed two (2) weeks and after obtaining a permit. If a fire or other catastrophe renders a house uninhabitable, the land owner shall be permitted to reside in a recreational vehicle or camper during the time the house is being restored, but not more than a period of six months and after having obtained a permit from the Village.

Section II. That Section 7.6 of the Zoning Regulations be amended to add Subsection d to read as follows:

No fence shall be erected or maintained within two (2) feet of the side yard or rear yard boundary line in any district.

Section III. That Section 4.5.3 of the Zoning Regulations shall be amended to read as follows:

Open structures such as porches, canopies, balconies, decks, platforms, carports and covered patios and similar architectural structures, shall be considered a part of the building to which attached and shall not project into the required minimum front, side, or rear yard.

Section IV. That Ordinance #16-90 and all other ordinances or parts of ordinances in conflict herewith be and the same are repealed.

Section V. This ordinance constitutes an emergency

RECORD OF ORDINANCES

Dayton Legal Blank Co.

Form No. 30043

Ordinance No.

4-96

Passed

APRIL 17,

19 96

measure necessary for the immediate preservation of the public peace, health and safety and, therefore, shall go into immediate effect upon the passage thereof and approval by the Mayor. The reason for the emergency is that it is urgently necessary to clarify the Zoning Regulations and to control the parking of recreational vehicles in the Village.

Richard R. Joppe
MAYOR

ATTEST:

James A. Stump
Clerk Treasurer

John S. Cheetwood
Village Legal Counsel

RECORD OF ORDINANCES

Dayton Legal Blank Co.

Form No. 30043

Ordinance No. 4-96 Passed APRIL 17, 19 96

ORDINANCE NO. 4-96

ORDINANCE AMENDING THE VILLAGE OF BRADNER ZONING REGULATIONS CONTAINED IN ORDINANCE #16-90

WHEREAS, the Planning Commission of the Village of Bradner, Ohio has recommended changes in the Zoning Regulations, after a public hearing on all proposed amendments to the text of the Zoning Regulations; and

WHEREAS, the public necessity, convenience, general welfare and good zoning practices require that the changes indicated herein be made;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF BRADNER, COUNTY OF WOOD, AND STATE OF OHIO:

Section I. That Section 5.4.2f of the Zoning Regulations shall be amended to read as follows:

Recreational vehicles, boats, boat trailers and/or utility trailers shall not be parked or stored in a front yard of any "R-1, R-3, or MHD" district, nor in a "R-B" district on lots of less than one (1) acre in area, except when loading and unloading for a temporary period not to exceed seventy-two (72) hours. Recreational vehicles, including individual motor homes and travel trailers, may be stored in the side yard driveway or in the rear yard, and shall be behind the front building line. A maximum of two (2) of the above vehicles/trailers may be stored in the appropriate yard. Recreational vehicles, including motor homes or travel trailers, shall not be inhabited for residential or business purposes, nor used for manufacturing in any district, except that relatives or friends of the property owner will be permitted to reside in a recreational vehicle parked in the driveway or side yard for a period not to exceed two (2) weeks and after obtaining a permit. If a fire or other catastrophe renders a house uninhabitable, the land owner shall be permitted to reside in a recreational vehicle or camper during the time the house is being restored, but not more than a period of six months and after having obtained a permit from the Village.

Section II. That Section 7.6 of the Zoning Regulations be amended to add Subsection d to read as follows:

No fence shall be erected or maintained within two (2) feet of the side yard or rear yard boundary line in any district.

Section III. That Section 4.5.3 of the Zoning Regulations shall be amended to read as follows:

Open structures such as porches, canopies, balconies, decks, platforms, carports and covered patios and similar architectural structures, shall be considered a part of the building to which attached and shall not project into the required minimum front, side, or rear yard.

Section IV. That Ordinance #16-90 and all other ordinances or parts of ordinances in conflict herewith be and the same are repealed.

Section V. This ordinance constitutes an emergency

RECORD OF ORDINANCES

Dutton Legal Blank Co.

Form No. 30043

Ordinance No. 4-96 Passed APRIL 17, 19 96

measure necessary for the immediate preservation of the public peace, health and safety and, therefore, shall go into immediate effect upon the passage thereof and approval by the Mayor. The reason for the emergency is that it is urgently necessary to clarify the Zoning Regulations and to control the parking of recreational vehicles in the Village.

Richard R. Jumper
MAYOR

ATTEST:

Janice A. Stump
Clerk Treasurer

John S. Cheetwood
Village Legal Counsel

RECORD OF ORDINANCES

85

Dayton Legal Blank Co.

Form No. 30043

Ordinance No. 13-96

Passed OCTOBER 17, 19 96

violations of any violation of Chapter 660 of the Codified Ordinances of the Village of Bradner, in addition to his authority as set forth in the Zoning Ordinance of the Village. Said Zoning Inspector shall have the authority to issue citations for violations of any provisions of Chapter 660 of the Codified Ordinances of the Village of Bradner. Said authority shall be concurrent with that granted the Chief of Police and the members of the Bradner Police Department."

SECTION II. This ordinance shall go into force and effect at the earliest possible time allowed by law.

PASSED:

Luigi Stump
President of Council

ATTEST:

Janice R. Stump
Clerk

APPROVED: 10-17-96
Date

Richard R. Woepke
Mayor

CHESTER H. MARCIN
VILLAGE LEGAL COUNSEL

CERTIFICATE OF AUTHENTICITY AND PUBLICATION

I, Janice Stump, duly elected Clerk-Treasurer, do hereby certify that the foregoing Ord. No. 13-96 is a true and correct copy of the same and that it was duly passed by Bradner Village Council on 10-17-96. I further certify that the foregoing Ord. No. 13-96 was duly published according to Ord. 4-78 on the following date: 11-11-96.

Janice Stump
Janice Stump

RECORD OF ORDINANCES

285

Dayton Legal Blank Co.

Form No. 30043

Ordinance No. 13-96

Passed OCTOBER 17, 19 96

violations of any violation of Chapter 660 of the Codified Ordinances of the Village of Bradner, in addition to his authority as set forth in the Zoning Ordinance of the Village. Said Zoning Inspector shall have the authority to issue citations for violations of any provisions of Chapter 660 of the Codified Ordinances of the Village of Bradner. Said authority shall be concurrent with that granted the Chief of Police and the members of the Bradner Police Department."

SECTION II. This ordinance shall go into force and effect at the earliest possible time allowed by law.

PASSED:

Luigi Shush
President of Council

ATTEST:

Janice A. Stump
Clerk

APPROVED: 10-17-96

Date

Richard R. Hooper
Mayor

CHESTER H. MARCIN
VILLAGE LEGAL COUNSEL

CERTIFICATE OF AUTHENTICITY AND PUBLICATION

I, Janice Stump, duly elected Clerk-Treasurer, do hereby certify that the foregoing Ord. No. 13-96 is a true and correct copy of the same and that it was duly passed by Bradner Village Council on 10-17-96. I further certify that the foregoing Ord. No. 13-96 was duly published according to Ord. 4-78 on the following date: 11-11-96.

Janice Stump
Janice Stump

RECORD OF ORDINANCES

Ordinance No. 16-92

Passed

July 23,

1992

ORDINANCE ESTABLISHING A SCHEDULE OF FEES, CHARGES, AND EXPENSES PERTAINING TO THE ADMINISTRATION OF THE BRADNER ZONING REGULATIONS.

WHEREAS, Article X of the Bradner Zoning Regulations provides for a fee schedule to be established for appeals, permits, variances and other matters pertaining to the administration and enforcement of the Zoning Regulations;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL BY THE VILLAGE OF BRADNER, WOOD COUNTY, OHIO:

Section 1. That the following schedule of fees shall be established and adopted:

<u>Zoning map change</u> (change in zoning district)	<u>FEE</u>
Agricultural/Residential	\$100
Commercial	100
Industrial	100
Planned Unit Development (PUD)	100
Special Use Permit (SUP)	100
<u>Board of Zoning Appeals</u>	
Appeals (Exceptions)	100
Variances	100
<u>Zoning Permits</u>	
Single Family	25
Multi-Family	50
Supplementary Uses & Structures	25
Commercial and Industrial	100
Shopping Center	100
Alterations/Additions	25

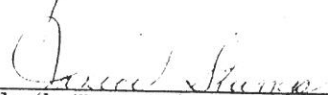
Section 2. That the appropriate fee set forth in Section 1 above shall accompany each application for a zoning district change, appeal, variance or zoning permit and shall be deposited to the credit of the general fund.

Section 3. This ordinance hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety, and welfare and shall, therefore, go into immediate effect upon the passage thereof. The reason for the emergency is that it is necessary to establish fees to properly implement certain sections of the existing Zoning Regulation.

VILLAGE OF BRADNER BY:



Mayor



Clerk-Treasurer

RECORD OF ORDINANCES

271

National Graphics Corp., Cols., O.

Form No. 2806-A

Ordinance No. 12-91

Passed

April 18,

19 91

AN ORDINANCE AMENDING ORDINANCE 16-90, ZONING ORDINANCE, AND DECLARING AN EMERGENCY.

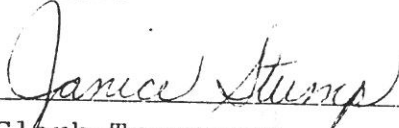
BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF BRADNER, COUNTY OF WOOD AND STATE OF OHIO:

SECTION 1. That an amendment setting out an amendment procedure as Article XI, Amendment, be added to Ordinance 16-90, Zoning Ordinance.

SECTION 2. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety of the citizens of the Village of Bradner, and shall therefore go into immediate effect upon the passage thereof.

Acting Mayor 

ATTEST:


Clerk-Treasurer

Suspension of Rules:
Yeas: 5
Nays: 0

Passage: Yeas: 5
Nays: 0

RECORD OF ORDINANCES

Ordinance No. 26-87

Passed 12-17

19 87

ORDINANCE ENACTING REGULATIONS AND SPECIFICATIONS
FOR THE REPAIR OR CONSTRUCTION OF SIDEWALKS AND ALLEY
APPROACHES WITHIN THE VILLAGE OF BRADNER, OHIO.

WHEREAS, it has been deemed necessary by the village council to set guidelines for the construction and maintenance of village sidewalks and alley approaches.

BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF BRADNER, WOOD COUNTY, OHIO:

Section 1. DEFINITIONS

- (A) Boulevard - is a strip of grass between the sidewalk and the edge of the street.
- (B) Business District - the business district is defined herein:
 - (1) Using a point directly beneath the traffic light at the intersection of Main Street and Crocker Street the business district shall:
 - (a) extend North on Main Street 297 feet
 - (b) extend South on Main Street 384 feet
 - (c) extend East on Crocker Street 185 feet
 - (d) extend West on Crocker Street 240 feet
- (C) Construction - is the construction of new work where no work has previously been done.
- (D) Council - is the governing body of the Village of Bradner.
- (E) Curb Opening - is the part of the curb that has been cut, dropped or replaced to allow ingress or egress of vehicles.
- (F) Driveway Approach - is the designated point between the edge of the street and the edge of the right-of-way where vehicles are allowed ingress and egress and is the driveway or alley approach that is the primary source of ingress or egress to the properties it abuts.
- (G) Driveway Approach Base - is the stoned area beneath the driveway approach.
- (H) Driveway Approach Thickness - is the thickness of the driveway approach from the surface of the driveway approach to the driveway approach base.
- (I) Owner - is the owner, leaseholder or agent that holds title to any private property adjoining any street in the village.
- (J) Reconstruction - is the relaying, rebuilding or repair of old work in part or in whole.

RECORD OF ORDINANCES

Ordinance No.

Passed 19.....

- (K) Residential Area - is defined herein:
 - (1) The area in the community where residents live and
 - (2) Is not zoned commercial or industrial or
 - (3) Is not zoned recreational
- (L) Right-of-way - is any public property dedicated for public use as a street, avenue, boulevard, lane, alley or public thoroughfare.
- (M) Sidewalks - is a 5 foot area of concrete located on each side of the right-of-way.
- (N) Sidewalk Approach - is the concrete area between the road surface and/or curb and the sidewalk and is used for exiting and entering the walking area from the street in a residential area.
- (O) Sidewalk Approach Thickness - is the thickness of the sidewalk from the surface of the sidewalk approach to the sidewalk approach base.
- (P) Sidewalk Base - is the stoned area beneath the sidewalk.
- (Q) Sidewalk Thickness - is the thickness of sidewalk from the top of the concrete surface to the sidewalk base.
- (R) Street - is any public thoroughfare dedicated for public use.

Section 2. DUTY TO MAINTAIN SIDEWALKS

(A) Where required by the village council, it shall be the responsibility of every owner of any lot or parcel of land situated within the corporate limits of the village to construct, keep, repair, and maintain along all public streets, avenues, boulevards, or lanes adjoining thereto, sidewalks as recommended by standard engineering practices, and approved by the village council.

(B) The cost of such construction shall be the responsibility of the village and the property owner together (50/50). The cost of keeping, maintaining and reconstructing is the owner's responsibility.

Section 3. OPERATION OF ORDINANCE

All sidewalks, alley approaches, runways, driveway approaches, or curb openings hereinafter constructed, reconstructed, or made on any public street, avenue, boulevard, or lane within the corporate limits of the village shall be constructed, reconstructed, or made, and shall be used and maintained in accordance with provisions of this ordinance.

RECORD OF ORDINANCES

Ordinance No. 26-87

Passed 12-17 1987

Section 4. CONSTRUCTION COSTS

If the owner shall neglect to construct or reconstruct a walk or driveway within the time period specified by the council, it shall be the duty of the village to construct or reconstruct such a walk or alley approach or cause the same to be done. In such case, the cost and expense of constructing or reconstructing such walk or alley approach shall, as directed by ordinance of council, be assessed as provided by law against the adjoining or abutting property, lots, or lands.

Section 5. RIGHT-OF-WAY IN THE BUSINESS DISTRICT

A. Using a point directly beneath the traffic light at the intersection of Main Street and Crocker Street the right-of-way shall be described as:

- (1) Crocker Street northern boundary - 33 feet North from the point directly beneath the traffic light.
- (2) Crocker Street southern boundary - 33 feet South from the point directly beneath the traffic light.
- (3) Main Street eastern boundary - 33 feet East from the point directly beneath the traffic light.
- (4) Main Street western boundary - 33 feet West from the point directly beneath the traffic light.

Section 6. SIDEWALK REPLACEMENT

A. The sidewalk will extend from the edge of the right-of-way to the curb.

B. Properties that contain a strip of grass in front of their business, shall be granted a variance until such time that the existing sidewalks are disrupted. At such time these sidewalks shall be brought into compliance with the sidewalk specifications for the Business District.

C. Properties located on corner lots in the business district will be required to comply with sidewalk specifications only on the side that the disruption occurs. Properties extending to two contiguous lots shall be construed as one property. Any disruption occurring on either lot shall be a requirement for that entire side to be brought into compliance.

D. Lots 47 and 57 shall be granted a variance until such time that these properties come under commercial zoning.

Section 7. SIDEWALK SPECIFICATIONS

A. Sidewalk base shall consist of 3" of berm mix or stonemeal.

B. Sidewalk forms shall be of 3 x 4 thickness and shall level with the top of the sidewalk base.

RECORD OF ORDINANCES

Ordinance No. _____ Passed _____ 19____

C. Reinforcing mesh (road grade) shall be used between forms prior to pouring of concrete and shall be positioned a minimum of 1-1/2 inches above the sidewalk base.

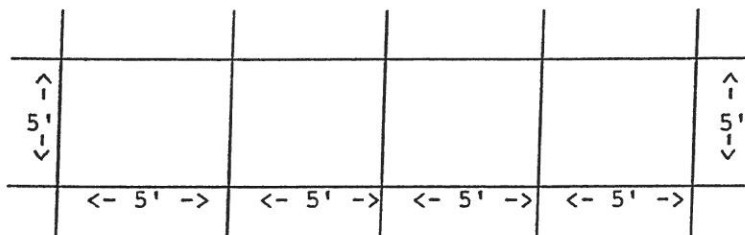
D. Concrete thickness shall be at least 3-1/2" and contain 6 bags of concrete (called 6 bag mix).

E. All edges must be finished with edging trowel.

F. Must be finished with a broom finish (light).

G. All sidewalks shall be cut in five (5) foot sections after the concrete has set sufficiently or shall be edged with an edging trowel every five (5) feet to provide easy removal should the need arise.

EXAMPLE OF SIDEWALK CUT OR EDGING



Section 8. DRIVEWAY APPROACH SPECIFICATIONS

A. Driveway approach base shall consist of 3" of berm mix or stonemeal.

B. Driveway approach forms shall be 8 inches thick and shall begin at the top of the driveway base. The top edge shall be formed to the sidewalk height and at the street it shall be formed to one inch above the gutter or one inch above the street.

C. Driveway approaches which are 12 feet at the edge of the right-of-ways shall have an arc or radius of 16 feet at the street.

Driveway approaches which are 16 feet at the edge of the right-of-way shall have an arc or radius of 20 feet at the street.

D. Reinforcing mesh (road grade) shall be inserted between the forms prior to pouring concrete and shall be positioned a minimum of 1-1/2 inches above the driveway approach base.

E. Concrete shall consist of 6 bags of concrete per yard of concrete. (Referred to as 6 bag mix)

F. The area of the driveway approach that abuts the sidewalk shall be finished with an edging trowel.

G. The driveway approach surface shall be finished with a broom finish (light).

H. See example - Attachment A.

RECORD OF ORDINANCES

Ordinance No. 26-87

Passed 12-17 1987

Section 9. CORNER SIDEWALK CONSTRUCTION

A. Shall contain a ramp formed to the sidewalk height on one end and to one inch above the gutter height at the street.

B. Curbs shall be tapered at the pedestrian crossing to a height of one inch above the gutter and shall be in a straight line, 5 feet wide starting at the edge of the right-of-way to the street.

C. See example - Attachment B.

Section 10. RESIDENTIAL AREA SIDEWALK REPLACEMENT

A. Sidewalk base shall consist of 3" of berm mix or stonemeal.

B. Sidewalk forms shall be of 2 x 4 thickness and shall be level with the top of the sidewalk base and shall extend 2 inches above ground level. New sidewalks shall be tapered to existing sidewalks.

Minimum length of taper shall be two (2) feet.

When new sidewalks butt into existing sidewalks, the new sidewalk shall be cut just before the taper begins, to allow for removal of the tapered section when the old piece of sidewalk is replaced.

Removal of the tapered section, if one exists, shall be the responsibility of the property owner that is upgrading existing sidewalks to establish sidewalk specifications.

C. Reinforcing mesh (road grade) shall be used between forms prior to pouring of concrete and shall be positioned a minimum of 1-1/2 inches above the sidewalk base.

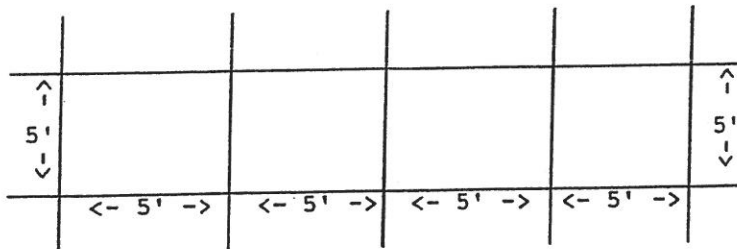
D. Concrete thickness shall be at least 3-1/2" and contain 6 bags of concrete (called 6 bag mix).

E. All edges must be finished with edging trowel.

F. Sidewalks must be finished with a broom finish (light).

G. All sidewalks shall be cut in five (5) foot sections after the concrete has set sufficiently or shall be edged with a edging trowel every five (5) feet to provide easy removal should the need arise.

EXAMPLE OF SIDEWALK CUT OR EDGING



RECORD OF ORDINANCES

Ordinance No.

Passed 19.....

Section 11. DRIVEWAY APPROACH SPECIFICATIONS

A. Driveway approach base shall consist of 3" of berm mix or stonemeal.

B. Driveway approach forms shall be 6 inches thick and shall begin at the top of the driveway base. The top edge shall be formed to the sidewalk height and at the street it shall be formed to one inch above the gutter or one inch above the street.

C. Driveway approaches which are 12 feet at the edge of the right-of-ways shall have an arc or radius of 16 feet at the street.

Driveway approaches which are 16 feet at the edge of the right-of-way shall have an arc or radius of 20 feet at the street.

E. Concrete shall consist of 6 bags of concrete per yard of concrete. (Referred to as 6 bag mix)

F. The area of the driveway approach that abuts the sidewalk shall be finished with an edging trowel.

G. The driveway approach surface shall be finished with a broom finish (light).

H. See example - Attachment A.

Section 12. CORNER SIDEWALKS CONSTRUCTION

A. Shall contain a ramp formed to the sidewalk height on one end and to one inch above the gutter height at the street.

B. Curbs shall be tapered at the pedestrian crossing to a height of one inch above the gutter and shall be in a straight line, 5 feet wide starting at the edge of the right-of-way to the street.

C. See example - Attachment B.

Section 13. This ordinance shall be deemed to be an emergency measure necessary for the health, safety and welfare of the citizens of the Village of Bradner and, therefore, shall go into immediate effect. The reason for the emergency is that sidewalks need to be constructed this year before cold weather prevents the use of concrete.

Passed: 12-17-87

Kenneth W. Weber
MAYOR

Attest: *Jane Dill*
Clerk

John S. Cheetwood
Village Legal Counsel

