

ORDINANCE 2016- 06
TO ENACT ORDINANCE 1171.06 PARKING REGULATIONS
IN RESIDENTIAL DISTRICTS

WHEREAS, the Village staff and officers have received complaints from residents about parking of vehicles on lawns or other unimproved surfaces that are not intended for vehicular parking; and

WHEREAS, when reviewing the Village's codified ordinances, staff and the solicitor determined that several other common parking restrictions, including parking of inoperable vehicles, and parking of commercial vehicles, were also advisable in the same ordinance; and

WHEREAS, the Village has determined that the parking of vehicles on unimproved or impervious parking surfaces, the parking of inoperable vehicles, and parking of certain commercial vehicles in residential districts each constitute a nuisance that is detrimental to the public health, safety, and welfare, that harms the general public through decreased property values, attractive nuisances, risks of environmental hazards, traffic safety, and aesthetics; and

WHEREAS, Planning Commission for the Village of Centerburg has recommended that the Zoning Code be amended to provide a comprehensive ordinance regarding parking in residential districts that prohibits parking of vehicles on unimproved or impervious parking surfaces, the parking of inoperable vehicles, and parking of certain commercial vehicles in residential districts;

WHEREAS, the Village Council, after review and consideration, agrees and adopts the findings, and the recommendation;

NOW THEREFORE, be it ordained by the Council of the Village of Centerburg as follows:

Section 1: That Ordinance 1171.06 be adopted to read as follows:

The provisions for the parking or storage of vehicles within a residential zoning district, Planned Residential Zoning District, or Planned Neighborhood District shall be subject to the following conditions:

(a) Parking of Motor Vehicles.

(1) In a residential zoning district, all automobiles, motorcycles, or other motor vehicle shall be parked on an improved impervious parking surface (e.g. driveway or parking area) or within a private garage, carport, etc.

(2) All motor vehicles on the premises shall be in operating condition and in compliance with all motor vehicle safety, equipment, and registration and licensing laws displaying proper tags and validation stickers unless parked or stored within an enclosed

structure. A violation of this Section may result in the vehicle being declared a Nuisance under the provisions of Section 1175.03 of this Zoning Code.

(b) Parking and Storage of Commercial Vehicles.

(1) For purposes of this Section, "commercial vehicle" means any motor vehicle or trailer that is registered with the Ohio Bureau of Motor Vehicles as a commercial motor vehicle or a commercial trailer pursuant to Chapter 4503 of the Ohio Revised Code.

(2) With the exception of the vehicles listed in Section 3 below, no commercial vehicle shall be parked in any residential district except for the purpose of delivery to or the receiving of goods or other articles, or in connection with the construction, repair or other services being performed, during the actual parking time.

(3) The following commercial vehicles may be parked in a residential district. Such vehicles shall be parked in a garage or on an improved impervious surface in a location least intrusive:

i. Vehicles associated with legally established home occupations pursuant to Chapter 1177;

ii. Vehicles with a GVWR (Gross Vehicle Weight Rating) less than ten thousand pounds (10,000 lbs);

iii. Any vehicle required to respond on an emergency basis for the public health, safety and welfare, and has received a certificate of exemption from the Mayor or his designee.

(c) Parking and Storage of Recreational Vehicles and Watercraft. Not more than two vehicles or watercraft for personal use, such as, but not limited to, boats, campers, recreational vehicles, travel trailers, or motor homes shall be stored or parked outdoors. These vehicles shall be parked or stored on a paved surface behind the front building line. Vehicles may be parked in front of the building line for loading or unloading, for a period of time not greater than seventy-two hours in any thirty (30) day period without the permission of the Zoning Officer or his designee.

WHEREFORE, this Ordinance shall take effect and be in force on the earliest date allowed by law from and after its passage and approval by the Mayor.

DATE PASSED May 2, 2016

PRESIDENT OF COUNCIL

ATTEST _____
CLERK OF COUNCIL

MAYOR

APPROVED AS TO FORM:

DATE APPROVED: 5-2-16


LEGAL COUNSEL

O-16-03A

I hereby certify that the ordinance or a summary of the ordinance was published once a week for two consecutive weeks on _____, 2016 and _____, 2016 in the *Mount Vernon News* in conformance with the Ohio Revised Code.

CLERK-TREASURER