

1st RECORD OF ORDINANCES
Reading 1-4-06
2ND READING 2-6-06

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 3-2006

Passed 3-06, 2006

ORDINANCE TO MANDATE WATER METER WITHIN THE VILLAGE

WHEREAS, THE VILLAGE LEGISLATIVE AUTHORITY DESIRES TO MANDATE THE WATER METERS THAT ATTACH TO THE VILLAGE WATER SYSTEM, ALL WATER METERS THAT ATTACH TO THE VILLAGE WATER SYSTEM ARE TO BE PURCHASED BY THE CONSUMER AT THE VILLAGE WATER DEPARTMENT OFFICE, AND INSTALLED BY THE VILLAGE EMPLOYEES, THE CONSUMER WILL BE CHARGED THE COST OF THE METER PLUS A MINIMUM \$20.00 INSTALLATION FEE, THE CONSUMER WILL ALSO HAVE TO FOLLOW EPA GUIDELINES FOR ALL WATER RELATED MATTERS;

NOW THEREFORE, LET IT BE ORDAINED BY THE VILLAGE OF AMANDA, OHIO:

THAT THE VILLAGE LEGISLATIVE AUTHORITY AUTHORIZES THE WATER METERS THAT ATTACH TO THE VILLAGE WATER SYSTEM BE PURCHASED BY THE CONSUMER AT THE VILLAGE WATER DEPARTMENT OFFICE, AND INSTALLED BY THE VILLAGE EMPLOYEES, AND THE CONSUMER WILL BE CHARGED THE COST OF THE METER PLUS A MINIMUM \$20.00 INSTALLATION FEE, THE CONSUMER WILL FOLLOW ALL EPA GUIDELINES FOR ALL WATER RELATED MATTERS;

THE ORDINANCE SHALL BE IN EFFECT AND IN FULL FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW.

Wayne Paul
~~MAYOR BRUCE EDLER~~ Wayne Paul Pres Pro temp.

VOTE: YES 6 NO 0

Carrie Ayers
CARRIE AYERS
FISCAL OFFICER

THE THREE READING REQUIREMENT WAS WAIVED (NOT WAIVED)

YEAS: 6 NAYS: 0

FISCAL OFFICER Carrie Ayers

THE UNDERSIGNED, FISCAL OFFICER OF THE LEGISLATIVE AUTHORITY, DOES HERBY CERTIFY THAT THE FOREGOING LEGISLATION WAS POSTED IN NOT LESS THAN FIVE (5) PUBLIC PLACES, DETERMINED BY THE LEGISLATIVE AUTHORITY FOR THE PERIOD OF NOT LESS THAN FIFTEEN (15) DAYS PRIOR TO THE EFFECTIVE DATE THEREOF.

Carrie Ayers
FISCAL OFFICER

RECORD OF ORDINANCES

Reading 1 - JAN. 4 2006

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 2006-01 Passed _____, 20__

ORDINANCE TO MANDATE WATER METER WITHIN THE VILLAGE

WHEREAS, THE VILLAGE LEGISLATIVE AUTHORITY DESIRES TO MANDATE THE WATER METERS THAT ATTACH TO THE VILLAGE WATER SYSTEM, ALL WATER METERS THAT ATTACH TO THE VILLAGE WATER SYSTEM ARE TO BE PURCHASED BY THE ^{EPA CODE} ~~HOMEOWNER~~ ^{Consumer} AT THE VILLAGE WATER DEPARTMENT OFFICE, AND INSTALLED BY THE VILLAGE EMPLOYEES, THE ^{Consumer} ~~HOMEOWNER~~ WILL BE CHARGED THE COST OF THE METER PLUS A \$20.00 ~~A HOUR~~ INSTALLATION FEE; ^{minimum 20.00}

NOW THEREFORE, LET IT BE ORDAINED BY THE VILLAGE OF AMANDA, OHIO:

THAT THE VILLAGE LEGISLATIVE AUTHORITY AUTHORIZES THE WATER METERS THAT ATTACH TO THE VILLAGE WATER SYSTEM BE PURCHASED BY THE HOMEOWNER AT THE VILLAGE WATER DEPARTMENT OFFICE, AND INSTALLED BY THE VILLAGE EMPLOYEES, AND THE ^{Consumer} ~~HOMEOWNER~~ WILL BE CHARGED THE COST OF THE METER PLUS A \$20.00 A HOUR INSTALLATION FEE:

THE ORDINANCE SHALL BE IN EFFECT AND IN FULL FORCE FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW.

MAYOR BRUCE EDLER

VOTE: YES _____ NO _____

CARRIE AYERS
FISCAL OFFICER

THE THREE READING REQUIREMENT WAS WAIVED / NOT WAIVED:

YEAS: _____ NAYS: _____

FISCAL OFFICER _____

THE UNDERSIGNED, FISCAL OFFICER OF THE LEGISLATIVE AUTHORITY, DOES HERBY CERTIFY THAT THE FOREGOING LEGISLATION WAS POSTED IN NOT LESS THAN FIVE (5) PUBLIC PLACES, DETERMINED BY THE LEGISLATIVE AUTHORITY FOR THE PERIOD OF NOT LESS THAN FIFTEEN (15) DAYS PRIOR TO THE EFFECTIVE DATE THEREOF.

FISCAL OFFICER

Not Passed Updated - Charged

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 4-2006

Passed December 4, 2006

ORDINANCE TO INCREASE WATER RATES ORDINANCE NO. 4-2006

WHEREAS, the cost of maintaining and operating the village water system requires adjustments in rates;

WHEREAS, the village must act on the issue immediately;

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE OF AMANDA, OHIO;

The minimum water usage rate of 0 to 2,000 gallons shall be \$23.21, with (3) three annual increases of 2.55 starting on January 1, 2007 and running through January 1, 2009

Rates for additional usage shall be as follows:

2,000 to 4,000 gallons: \$7.57 per 1,000 gallons

4,000 to 10,000 gallons: \$6.63 per 1,000 gallons

10,001 gallons or more: \$5.72 per 1,000 gallons

The penalty for delinquent payments shall remain at (15%) fifteen percent.

That the rates for the consumption of water are hereby increased effective the 4th day of December, 2006;



Mayor Bruce Edler

Vote: Yeas: 5 Nays: 0

Attest:



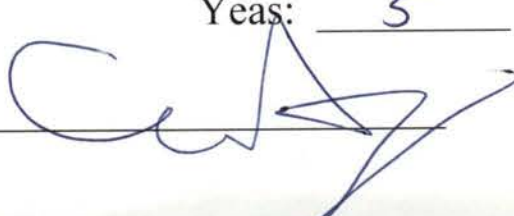
Carrie Ayers Fiscal Officer

1st Reading Nov -6, 2006
2nd Reading Dec 4 - passed

The Three- Reading-Requirement was waived not waived:

Yeas: 5 Nays: 0

Fiscal Officer



RECORD OF ORDINANCES

Dayton Legal Blank Co.

Form No. 30043

Ordinance No. 1-2007

Passed March 5, 2007
YEAR

ORDINANCE DECLARING CERTAIN PREMISES A NUISANCE AND SEEKING ABATEMENT AND DECLARING AN EMERGENCY

WHEREAS the premises identified as 109 East High Street, Amanda, Ohio has suffered a fire; and

WHEREAS said premises are now in a state of disrepair such that the building situated thereon is insecure, unsafe, or structurally defective; and

WHEREAS the title owner of record of said premises; to wit, Buddy R. Bates, has heretofore been notified, by the appropriate Village authorities, to abate the unsatisfactory condition of said premises; and

WHEREAS the said title owner of record has failed to do so;

NOW THEREFORE BE IT ORDAINED BY THE VILLAGE OF

AMANDA, OHIO:

THAT pursuant to ORC 715.26, the aforesaid premises are hereby declared to be a nuisance;

THAT the Village does hereby declare its intent to remove/raze said structure;

THAT prior thereto, the Mayor or Village Administrator or Fiscal Officer shall give at least thirty (30) days written notice, by certified mail, of its intention to remove/raze said structure;

THAT said notice shall go to the title owner(s) of said premises, and to the holders of legal or equitable liens of record upon the subject real property informing them of the opportunity to enter into an agreement with the Village to remove or repair the aforesaid structure;

THAT the total cost incurred by the Village in the process of removing/razing the aforesaid structure shall be recovered by certifying said costs, along with a legal description of the subject premises, to the Fairfield County Auditor, who shall place said costs upon the tax duplicate relating to the subject premises, which costs shall be a lien upon the land from and after the date of entry, and which shall be collected as other taxes and returned to the municipal corporation;

THAT this ordinance shall be deemed an emergency measure, given the danger presented to the public by virtue of the unsafe, insecure, and defective condition of the subject premises;

THAT this ordinance shall take effect upon the earliest date allowed by law.


MAYOR BRUCE EDLER

RECORD OF ORDINANCES


Dayton Legal Blank Co.

Form No. 30043

Ordinance No. _____

Passed _____, _____
YEAR

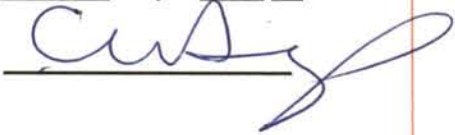
VOTE: Yes 5 No 0

ATTEST:


Carrie Ayers
Fiscal Officer

The Three-Reading Requirement was waived/not waived:

Yeas: 5 Nays: 0

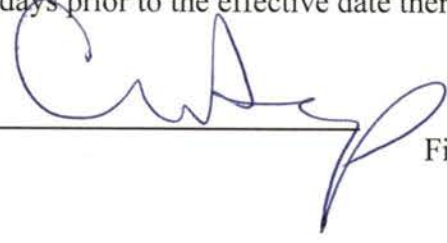
Clerk: 

Approved as to form:



Thomas James Corbin, Attorney at Law

The undersigned, Fiscal Officer of the legislative authority, does hereby certify that the foregoing legislation was posted in not less than five (5) public places, as determined by the legislative authority, for a period of not less than fifteen (15) days prior to the effective date thereof.



Fiscal officer

DRAFT

February 9, 2007

Buddy R. Bates
Post Office Box 314
Amanda, Ohio 43102

RE: 109 E. High Street, Amanda, Ohio

Dear Mr. Bates:

I **enclose** herewith a copy of an ordinance passed by the Village of Amanda upon the _____ day of _____, 2007, as an emergency measure.

You are hereby apprised that on or after the fortieth (40th) day from the date of this letter the Village shall undertake to raze/remove the structure situated upon the above-described premises, and to certify all costs incurred by the Village to the county auditor, to be placed upon the tax duplicate, and to be collected as taxes and paid to the Village by way of reimbursement. If you, or any lienholder upon said premises, desire to avoid this, and to remove/raze/repair the subject premises, you or said lienholder must contact the Village legislative authority and enter into an agreement satisfactory to said village authority to accomplish the same result according to the timetable set forth hereinabove.

Thanks.

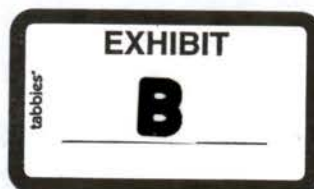
Sincerely,

Thomas James Corbin

TJC/mfb

Enclosure

CLIENT COPY



ORDINANCE NO. 2-2007

AN ORDINANCE APPROVING, ADOPTING AND ENACTING AMERICAN LEGAL PUBLISHING'S OHIO BASIC CODE, 2007 EDITION, AS THE CODE OF ORDINANCES FOR THE MUNICIPALITY OF AMANDA, OHIO, AND DECLARING AN EMERGENCY.

WHEREAS, the present general and permanent ordinances of the municipality are inadequately arranged and classified and are insufficient in form and substance for the complete preservation of the public peace, health, safety and general welfare of the municipality and for the proper conduct of its affairs.

WHEREAS, American Legal Publishing Corporation publishes a Code of Ordinances suitable for adoption by municipalities in Ohio.

WHEREAS, it is necessary to provide for the usual daily operation of the municipality and for the immediate preservation of the public peace, health, safety and general welfare of the municipality that this ordinance take effect at an early date.

NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE AUTHORITY OF THE MUNICIPALITY OF AMANDA, OHIO:

- Section 1. American Legal Publishing's Ohio Basic Code, 2007 Edition, as reviewed and approved by the Legislative Authority, is hereby adopted and enacted. Any prior version of the Ohio Basic Code which may have been previously adopted by the municipality is hereby repealed as obsolete and is hereby replaced in its entirety by this Ohio Basic Code, 2007 Edition.
- Section 2. One copy of American Legal Publishing's Ohio Basic Code, 2007 Edition, certified as correct by the Mayor and Clerk of the Legislative Authority, as required by Ohio Revised Code § 731.23, shall be kept in its initial form on file in the office of the Clerk of the municipality and retained as a permanent ordinance record of the municipality. The Clerk of the municipality is authorized and directed to publish a summary of all new matters contained in the Code of Ordinances as required by Ohio Revised Code § 731.23. Such summary is attached hereto and marked as "Exhibit A".
- Section 3. All ordinances and resolutions or parts thereof which are in conflict or inconsistent with any provision of the Ohio Basic Code, 2007 Edition, as adopted in Section 1 hereof, are hereby repealed as of the effective date of this ordinance, except as follows:
- (A) The enactment of the Ohio Basic Code, 2007 Edition, shall not be construed to affect a right or liability accrued or incurred under any legislative provision prior to the effective date of such enactment, or an action or proceeding for the enforcement of such right or liability. Such enactment shall not be construed to relieve any person from punishment for an act committed in violation of any such legislative provision, nor to affect an indictment or prosecution therefor. For such purposes, any such legislative provision shall continue in full force notwithstanding its repeal for the purpose of revision and codification.

- (B) The repeal provided above shall not affect:
- (1) The grant or creation of a franchise, license, right, easement or privilege;
 - (2) The purchase, sale, lease or transfer of property;
 - (3) The appropriation or expenditure of money or promise or guarantee of payment;
 - (4) The assumption of any contract or obligation;
 - (5) The issuance and delivery of any bonds, obligations or other instruments of indebtedness;
 - (6) The levy or imposition of taxes, assessments or charges;
 - (7) The establishment, naming, vacating or grade level of any street or public way;
 - (8) The dedication of property or plat approval;
 - (9) The annexation or detachment of territory;
 - (10) Any legislation enacted subsequent to the adoption of this ordinance.
 - (11) Any legislation specifically superseding the provision of the Ohio Basic Code.

Section 4. This ordinance is declared to be an emergency measure necessary for the immediate preservation of the peace, health, safety and general welfare of the people of this municipality, and shall take effect at the earliest date provided by law.

Date Passed: 3-5-07

Attest:



 Mayor

 Clerk of the Legislative Authority

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 3-2007

Passed April 2, 2007

ORDINANCE TO REGULATE PARKING DURING SNOW REMOVAL

WHEREAS the village council desires to regulate parking on Main Street and on School Street during the snow plowing season;

WHEREAS Main Street and School Street will be no parking during times of snow emergencies level (1) one and higher;

WHEREAS Main Street and School Street will remain no parking until the village Street Department completes the snow plowing;

WHEREAS any violators of this ordinance will have their vehicle towed away and impounded at the owners expense;

NOW THEREFORE, BE ORDAINED, BY THE VILLAGE OF AMANDA, OHIO, FAIRFIELD COUNTY:

THAT Main Street and School Street be no parking during any snow emergencies level (1) one or higher until the Street Department has completed the snow removal, all vehicles left on the streets will be towed away and impounded at the owners expense.

That this ordinance shall take effect from and after the earliest period allowed by law

Mayor Bruce L. Loe
Mayor

Vote: 4 yes 1 no

C. A.
Fiscal Officer

The three reading requirement was waived / not waived

Yeas 4 nays 1

Fiscal Officer C. A.

The undersigned fiscal officer of legislative authority, does hereby certify that the foregoing legislation was posted in not less than five (5) public places, as determined by the legislative authority, for a period of not less than fifteen (15) days prior to the effective date thereof.

C. A. Fiscal Officer

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No.

4-2007

Passed

April 2

, 2007

ORDINANCE TO AWARD EXCLUSIVE FRANCHISE FOR GARBAGE AND REFUSE COLLECTION

WHEREAS, the village desires to grant an exclusive franchise with regard to garbage and refuse collection within the village limits; and

WHEREAS, the village has solicited bids in regard to an exclusive franchise for garbage and refuse collection;

NOW THEREFORE, BE IT ORDAINED BY THE VILLAGE OF AMANDA, OHIO:

That said franchise is hereby awarded to Falcon Sanitation LLC, according to the terms and conditions set forth in the franchise agreement attached hereto and incorporated herein by reference. And the Mayor, Fiscal Officer and Village Administrator are authorized to execute said contract the same then to be a binding legal obligation of the village.

That it shall constitute a minor misdemeanor for any person to collect garbage and refuse within village limits, contrary to the terms of said franchise agreement, and it shall be considered a separate offense for each day that violation continues.



Mayor Bruce Edler

Vote: yes 6 no 0

Attest:



Carrie Ayers Fiscal Officer

The three reading requirement was waived / not waived:

Yeas 6 nays 0



Fiscal Officer

The undersigned Fiscal Officer of the legislative authority, does hereby certify that the foregoing legislation was posted in not less than five (5) public places, as determined by the legislative authority, for a period of not less than fifteen (15) days prior to the effective date thereof.



Fiscal Officer

EXCLUSIVE FRANCHISE FOR GARBAGE AND REFUSE COLLECTION

1. The Mayor and appropriate officers of the Village of Amanda, Ohio, do hereby enter into an **exclusive contract** with Falcon Sanitation LLC ("Hauler") for a period of ~~two~~ ^{three} (3) years from -April 1, 2007 with a option of 2 more years.
2. Said exclusive contract will be granted to the party as set forth above upon **the following terms and conditions:**
 - (a) For the purpose of this resolution and resulting exclusive contract, **the following terms, phrases, words and their derivations shall have the meaning given herein.** The word "shall" is always mandatory and not merely directory.
 - (1) "Village" is the Village of Amanda, Ohio.
 - (2) "Mayor" is the Mayor of the Village of Amanda, Ohio.
 - (3) "Hauler" is any person, firm, partnership, organization of any kind licensed to collect rubbish and garbage in the Village of Amanda.
 - (4) "Rubbish" material is hereby defined as all rejected waste matter accumulating in Village buildings, public or private schools, charitable institutions, dwelling houses, stores, hotels or other places of habitation and business in the Village and which shall include such matter as rags, straw, excelsior, pasteboard boxes, old clothes, shoes, rubbers and other scraps, burlap, discarded mattresses, carpets, matting, oil cloth, junk, scrap metals, broken glass, crockery, enameled ware, tin cans, cooking utensils, hardware, ashes, etc.
 - (5) "Garbage" is putrescible animal and vegetable wastes resulting from the handling, preparation, cooking and consumption of food.
 - (b) **No** person, firm, partnership, association, corporation, company, or organization of any kind **shall engage in** hauling rubbish or garbage **for profit** within the Village except in accordance with the terms of this contract.
 - (c) **Hauler shall furnish** to the Mayor the name of each person in the employ of the hauler and a copy of a policy or policies of liability insurance issued to the hauler by a responsible insurance company, approved as to sufficiency by the Mayor and as to legality by the Solicitor, providing liability coverage against loss resulting from the operation of each vehicle to the extent of \$500,000 on account of injury or death per person, and \$100,000 for property damage caused by any one accident. Further, prior to executing this contract, hauler

promises and agrees to provide proof of workmen's compensation insurance and a copy of a valid collector's license issued by the Fairfield County Health Department.

- (d) Each truck used in the collection of rubbish or garbage **shall conspicuously display** the name of the hauler.
- (e) **Each hauler must offer and supply** service to any person, firm, partnership, association, corporation, company, organization within the Village who subscribes for and pays for said service, **unless** any of the above-stated parties should fail to abide by the regulations as set forth hereafter under subsection (f) and only after ten (10) days written notice to correct said violation and failure thereafter to correct.
- (f)
 - (1) Garbage and rubbish shall each be placed and maintained in separate containers.
 - (2) All rubbish shall be drained of liquid before being deposited for collection.
 - (3) Garbage containers shall be equipped with suitable handles and shall be watertight.
 - (4) Garbage containers shall not have a capacity larger than 35 gallons and shall be kept in a clean, neat and sanitary condition at all times.
 - (5) Ash containers shall be made of metal; ash and rubbish containers shall be of a kind suitable for collection purposes, and shall be of such weight that they can be handled by one (1) person.
 - (6) No person, firm, partnership, association, corporation, company, or organization shall submit hazardous waste for disposal.
- (g) Vehicles used by haulers shall be used and operated so as to prevent **offensive odors** escaping therefrom and rubbish or garbage from being **blown, dropped or spilled**.
- (h) No rubbish or garbage shall be deposited by the hauler **within the corporation limits of** the Village except at a place designated in writing by the Mayor.
- (i) A monthly collection shall be made of **bulky items**, such as but not limited to stoves, bed springs, couches, refrigerators, freezers, and air conditioners if freon is removed by certified dealers and tagged. These items shall be placed at the regular place where garbage and refuse is collected for the resident. This pick up shall be the first regular pick up day of each month.
- (j) The hauler shall collect garbage or refuse **between** 6:30 a.m. and 5:00 p.m.
- (k) The hauler shall not permit the parking of their trucks or equipment in any location within the Village for a period greater than **one (1) hour**.

- (l) The hauler at no additional charge to the Village or the residents of the Village shall provide free pick-up including bagged leaves, yard waste and branches no bigger than three (3) inches in diameter for up to two (2) one week periods designated by Council as "Clean Up Week".
- (m) **Hauler shall specify** the dates or days of the week when collection shall regularly occur.
- (n) Hauler shall pick up trash a **maximum of two** (2) days per week.
- (o) The fees for collection and disposal of garbage, rubbish and recyclable materials shall be as follows:
- (1) For a **single family** residential curb service: \$ 9.75 per month;
 - (2) For **senior citizen**, residential curb service: \$ 8.00 per month;
 - (3) back door \$8.00
 - (4) For **commercial** front load service: \$ below per yard (which fee includes the container cost);. 2yd \$25.00, -4yd \$50.00, -6yd \$70.00, -8yd \$85.00
 - (5) **Compactor charges** shall be as follow: \$ none per haul; \$ 40.00 per ton; (plus equipment rent if applicable); rental --\$250.00
 - (6) **Tote charge** \$ 2.50 per tote per month;
 - (7) All **Village properties** and locations shall be serviced free of charge; and this charge-free service shall also extend to the township fire house and the township firefighter's festival;
 - (8) The foregoing rates may be modified during the term of this agreement, but only in the event that the hauler incurs increased costs due to circumstances beyond its control, including, by way of example, but not by way of limitation, changes in local, state, or federal laws, regulations, taxes, fees, and surcharges.
- (p) This **exclusive** contract shall grant the rights and privileges herein contained exclusively to Falcon Sanitation LLC (hauler) during the period of said exclusive contract. In the event of any violation of the terms of said contract by said haulers, it may be canceled by the Council of said Village. By way of example, but not by way of limitation, the failure to provide prompt and courteous service to any and all customers at all times shall constitute breach of this agreement, and shall be grounds **within the discretion** of Village Council, for terminating this agreement summarily, however before

this contract is terminated pursuant to this provision, Hauler shall be given reasonable notice and opportunity to cure such violation.

- (q) In the event that the haulers under said exclusive contract desire, by civil suit, to prohibit any other person, firm or corporation from conducting similar collections within the Village, the Village will participate in **such action** as is necessary, but at the sole expense of said haulers.
- (r) All rubbish, garbage and recycled materials shall be disposed of by the hauler at **hauler's sole expense**.
- (s) Hauler shall follow a **predetermined course** or route as mandated by the Village, in the process of collecting.
- (t) Any location which is **not serviced** upon the date for which collection was scheduled, whether by reason of oversight or other failure, shall be serviced within twenty-four (24) hours of when the failure is brought to the attention of the hauler; except that when collection day falls on a holiday, collection shall occur on the next business day. Holiday, for purposes of this provision shall mean: New Year's Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving Day, and Christmas Day;
- (u) Hauler shall invoice the Village, directly and exclusively, for all services rendered pursuant to this agreement, and at no time shall invoice customers directly.

DATED: THIS 15 DAY OF March, 2007

Thomas Falcon Samitani VILLAGE OF AMANDA, OHIO:
(Hauler)

By: [Signature]
owner
Title/Office

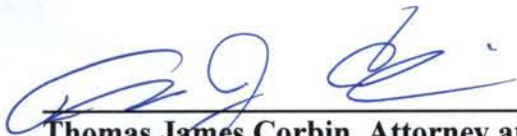
Thomas E Grubb
Printed Name

[Signature]
MAYOR

[Signature]
FISCAL OFFICER

[Signature]
VILLAGE ADMINISTRATOR

Approved to form:



Thomas James Corbin, Attorney at Law
For the Village of Amanda, Ohio

VILLAGE OF AMANDA
BID APPLICATION

COMPANY: Falcon Sanitation PHONE: 740 536 7647
CUSTOMER SERVICE REPRESENTATIVE Ed Grubb
PHONE: _____ CELL 503 6217 EMAIL Grubby131@nl.com
ADDRESS: 7617 E Grubb Rd
Thornville Oh 43076
FED ID # OR SS# 22-3929242
INSURANCE: ATTACHED
LICENSE: ATTACHED

JOB: Trash pick up for Village of Amanda

DESCRIPTION: Res + com. Trash pickup

TIME & DATE (JOB CAN BE STARTED AND COMPLETED): 3 yr contract.
APRIL 3-07 AT 7:00 AM.

EXTRAS: Falcon Sanitation will donate \$.50 per
res customer per month. TO Amanda Clearcreek
Schools.

BID PRICE: ATTACHED

WARRANTY: Falcon Sanitation will provide Res. + com.
Trash pick up for 3 yrs

ALL APPLICATIONS ARE TO BE SENT OR DROPPED OFF AT THE VILLAGE
OFFICE 116 E. MAIN ST., P.O. BOX 250, AMANDA, OHIO 43102. FOR ANY
QUESTIONS CALL THE VILLAGE OFFICE AT (740) 969-4771 OR FAX
(740) 9698105. EMAIL AT VillageofAmanda@hotmail.com

TRASH REMOVAL BIDS NEEDED

THE VILLAGE OF AMANDA IS NOW ACCEPTING BIDS FOR TRASH REMOVAL. THE VILLAGE WILL BE ACCEPTING BIDS THROUGH 1:00 P.M. FEBRUARY 23, 2007. THE VILLAGE IS LOOKING FOR A COMPANY THAT CAN PROVIDE TRASH SERVICE TO ENTIRE VILLAGE. WITH A 3-5 YEAR CONTRACT. PLEASE CALL RALPH MARTIN AT VILLAGE OFFICE FOR DETAILS. AT (740) 969-4771.

JOB DESCRIPTION:

THE VILLAGE REQUIRES ALL BILLING TO GO THROUGH THE VILLAGE OFFICE. THAT INCLUDES ALL TOTES, DUMPSTERS, AND COMPACTORS.

REGULAR CURB SERVICE FEES \$9.75 per month
SENIOR CURB SERVICE FEES \$8.00 per month
SENIOR/HANDICAP BACKDOOR \$8.00 per month
TOTE/WHEELER \$2.50 per month
COMMERCIAL:

DUMPSTERS:
2YD \$25.00 per month
4YD \$50.00 per month
6YD \$70.00 per month
8YD \$85.00 per month

COMPACTORS: COMPACTORS PICKUP ON CALL
RENTAL FEES: 30 YRD COMPACTORS 250.00 month
RENTAL FEES: 35 YRD COMPACTORS 250.00 month
PRICE FOR DISPOSAL PER TON \$140.00
There will be NO pickup fees or hauling fees.

TIMES (NOT BEFORE 6:00 A.M. AND AFTER 5:00 P.M.) will start 7:00 AM
DAY OF PICK-UP TUESDAYS - CAN BE CHANGED
LARGE ITEMS we accept All Large Items. BUT REFRIGERATORS.

TO BE SUPPLIED FREE IN CONTRACT:

DUMPSTERS AT PARK
DUMPSTERS FOR FIREFIGHTERS FESTIVAL
VILLAGE OFFICE TOTE
TOWNSHIP FIREHOUSE DUMPSTER

(OPTION 2) ONE FREE TOTE PER HOUSEHOLD

PERMIT TO HAUL SOLID WASTE FOR 2007

FAIRFIELD DEPARTMENT OF HEALTH

1587 GRANVILLE PIKE

LANCASTER, OH 43130

740-653-4489

Truck ID #: 2007116

Date: 01/31/2007

Business Name: FALCON SANITATION LLC

Street Address: 7617 E GRUBB RD

City, State, Zip: THORNVILLE, OH 43076

is granted a permit during the year 2007, to haul SOLID waste to
PINE GROVE LANDFILL, LANCASTER TRANSFER

Truck Year: 1996

Truck Make: FORD (#2)

Truck Body Type: PACKER

Truck License #: PFQ 3582

Capacity: 25 Cubic Yds.

A permit is hereby granted for the collection, transportation, storage, and/or proper disposal of solid and/or septage waste within Fairfield County. This permit is issued upon the condition that all work done be carried out according to all regulations and rules governing solid and septage waste. This permit may be revoked or suspended at any time for failure to comply with the regulations.



FRANKLIN HIRSCH, MS, Health Commissioner

PERMIT TO HAUL SOLID WASTE FOR 2007

FAIRFIELD DEPARTMENT OF HEALTH

1587 GRANVILLE PIKE

LANCASTER, OH 43130

740-653-4489

Truck ID #: 2007115

Date: 02/01/2007

Business Name: FALCON SANITATION LLC

Street Address: 7617 E GRUBB RD

City, State, Zip: THORNVILLE, OH 43076

is granted a permit during the year 2007, to haul SOLID waste to
PINE GROVE LANDFILL, LANCASTER TRANSFER

Truck Year: 1997

Truck Make: INTL (#1)

Truck Body Type: REAR LOAD

Truck License #: PFQ 3581

Capacity: 20 Cubic Yds.

A permit is hereby granted for the collection, transportation, storage, and/or proper disposal of solid and/or septage waste within Fairfield County. This permit is issued upon the condition that all work done be carried out according to all regulations and rules governing solid and septage waste. This permit may be revoked or suspended at any time for failure to comply with the regulations.





COVERAGE PART DECLARATIONS

POLICY NUMBER	EFFECTIVE DATE AND TIME	INSURED
3400200424	05/22/2006	FALCOM SANITATION LLC

(The above information is required only when this form is added after the policy is issued.)

COMMERCIAL GENERAL LIABILITY

"X" if Supplemental Declarations is attached.

LIMITS OF INSURANCE						
General Aggregate Limit (Other Than Products-Completed Operations)	2,000,000					
Products-Completed Operations Aggregate Limit	2,000,000					
Personal and Advertising Injury Limit	1,000,000					
Each Occurrence Limit	1,000,000					
Fire Damage Limit	50,000					Any One Fire
Medical Expense Limit	2,000					Any One Person
Location(s) (Including Zip Code(s)) of All Premises you Own, Rent or Occupy (Enter "Same" if same location as your mailing address): SAME						
PREMIUM						
Classification	Code Number	Premium Basis	Exposure	Rate (Premises)/ Rate (Prod/Comp Ops)	Advance Premium	
GARBAGE, ASH OR REFUSE COLLECTING	95233	P	25,000	28.087 INCL.	\$750 INCL	
		a) Area p) Payroll s) Sales	c) Cost m) Admissions u) Units			
Total Advance Premium					\$750	

THESE DECLARATIONS AND THE COMMON POLICY DECLARATIONS, IF APPLICABLE, TOGETHER WITH THE COMMON POLICY CONDITIONS, COVERAGE FORM(S), FORMS AND ENDORSEMENTS COMPLETE THE ABOVE NUMBERED POLICY.

All other Terms and Conditions of this Policy remain unchanged.

1-2-1-0904

Authorized
Representative

Date

**Commercial Auto Coverage Part
Truckers Coverage Form Declarations**

Made a part of Policy Number **NPAC001015**

Effective Date **07/11/2006**

(12:01 a.m. Standard Time)

Item One - Named Insured and Mailing Address/Policy Period/ Business Description - Shown in Commercial Lines Policy Common Declarations

Item Two - Schedule of Coverages and Covered Autos

This policy provides only those coverages where a charge is shown in the premium column below. Each of these coverages will apply only to those "autos" shown as covered "autos". "Autos" are shown as covered "autos" for a particular coverage by the entry of one or more of the symbols from the COVERED AUTOS Section of the Truckers Coverage Form next to the name of the coverage.

Coverages	Covered Autos <small>(Entry of one or more of the symbols from the COVERED AUTOS Section of the Truckers Coverage Form shows which "autos" are covered "autos")</small>	Limit The Most We Will Pay For Any One Accident or Loss	Premium
Liability	46	\$ 1,000,000	\$
Personal Injury Protection (PIP) (or equivalent No-Fault Coverage)		Separately Stated in Each PIP Ends. Minus \$ Ded.	\$
Added PIP <small>(or equivalent Added No-Fault Coverage)</small>		Separately Stated in Each Added PIP Endorsement	\$
Property Protection Insurance (PPI) (Michigan Only)		Separately Stated in the PPI Endorsement Minus \$ Deductible For Each Accident	\$
Auto Medical Payments	46	\$ 5,000	\$
Uninsured Motorists (UM)	46	\$ 1,000,000	\$
Underinsured Motorists <small>(when not included in UM Coverage)</small>	46	\$ 1,000,000	\$
Trailer Interchange			
Comprehensive Coverage		Actual Cash Value, Cost of Repair or	\$ Whichever is less deductible for each covered auto.
Specified Causes of Loss Coverage			\$
Collision Coverage			\$ Whichever is less deductible for each covered auto.
Physical Damage			
Comprehensive Coverage		Actual Cash Value, or Cost of Repair, Whichever is Less Minus	\$
Specified Causes of Loss Coverage			\$
Collision Coverage	46		\$ See Schedule of Autos form NP0216 for deductible for each covered auto.
Towing and Labor <small>(Not Available in California)</small>	46	for each disablement of a private passenger auto	\$
Other:			\$

Forms and Endorsements applying to this Coverage Part and made part of this policy at time of issue *

Per form NP0015	Premium for Endorsements	\$
	Estimated Total Premium	\$

*Forms and Endorsements applicable to this Coverage Part omitted if shown elsewhere in the policy.

Item Three - Schedule of Covered Autos You Own

Covered Auto No.	Description <small>Year; Model; Trade Name; Body Type Serial Number (S); Vehicle Identification Number (VIN)</small>	Purchased			Territory: Town & State where the Covered "Auto" will be principally garaged.			
		Original Cost	New (N) Cost	Used (U)				
1	Per form NP0216							
2								
Covered Auto No.	Radius of Operation (in Miles)	Business use s = service r = retail c = commercial	Size GVW, GCW or Vehicle Seating Capacity	Age Group	Classification		Code	Except for towing all physical damage "loss" is payable to you and the loss payee named below as interests may appear at the time of the "loss".
					Primary Rating Factor Liability Physical Damage	Secondary Rating Factor		
1	Per form NP0216							
2								

STATE OF OHIO

BUREAU OF WORKERS' COMPENSATION

COLUMBUS, OHIO 43215-2256

CERTIFICATE OF PREMIUM PAYMENT

This certifies that the employer listed below has paid into the State Insurance Fund as required by law. Therefore, the employer is entitled to the rights and benefits of the fund for the period specified. For more information call 1-800-OHIOBWC.

THIS CERTIFICATE MUST BE CONSPICUOUSLY POSTED.

POLICY NO. AND EMPLOYER

PERIOD SPECIFIED BELOW

1498554

07/01/2006 THRU 02/28/2007

FALCON SANITATION LLC
7617 GRUBB RD
THORNVILLE OH 43076-8706

www.ohiobwc.com


ADMINISTRATOR/CEO

THIS CERTIFICATE MAY BE REPRODUCED AS NEEDED

OHIO BUREAU OF WORKERS' COMPENSATION

REQUIRED POSTING

Effective October 13, 2004, Section 4123.54 of the Ohio Revised Code requires notice of rebuttable presumption. Rebuttable presumption means that an employee may dispute or prove untrue the presumption (or belief) that alcohol or a controlled substance not prescribed by the employee's physician is the proximate cause (main reason) of the work-related injury.

The burden of proof is on the employee to prove that the presence of alcohol or a controlled substance was not the proximate cause of the work-related injury. An employee who tests positive or refuses to submit to chemical testing may be disqualified for compensation and benefits under the Workers' Compensation Act.

THIS LANGUAGE MUST BE POSTED WITH THE CERTIFICATE OF COVERAGE

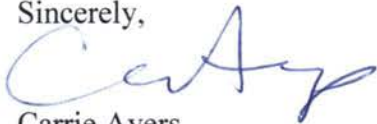
Village of Amanda
116 E. Main St.
P.O. Box 250
Amanda, Ohio 43102
(740) 969-4771 or fax (740) 969-8105
E-mail—VillageofAmanda@hotmail.com
Web site—www.villageofamanda.com

To Whom It May Concern:

On Monday, March 5, 2007 the village council during regular council session voted to award Falcon Sanitation L.L.C. the contract to supply trash service for the Village of Amanda. The contract will be a 3 year contract with the option of 2 more years. The contract will begin April 1, 2007.

If you need any other information please call the above number.

Sincerely,



Carrie Ayers
Fiscal Officer



Falcon Sanitation L.L.C.

** Dedicated to serving the community*

**50 cents per customer per month donated back to the Amanda Clearcreek schools
example: 300 customers = \$150.00 per month.**



**Owner/Operator
Ed Grubb**

***business-740-536-7647**

***cell- 740-503-6217**



Falcon Sanitation L.L.C.

I have over 12 years experience in the waste industry consisting of:

- * 7 years residential and commercial trash pick up.**
- * Route planning for residential, commercial, recycling, and yard waste.**
- * 6 years in equipment and part sales.**
- * Covering a three state territory servicing customers.**
- * Experience in inventory volumes, billing, backorders, accounts receivables, and warrenty for my branch territory.**
- * Through hard work and determination I have ran a successful sales route.**



Falcon Sanitation L.L.C.

Falcon Sanitation has the resources to perform the work accordance with the provisions of the specifications for the Village of Amanda.

- * Delivery of service and standards**
- * Weekly residential and commercial pick up making sure all cans are put in proper places, special needs for the elderly and handicap, if customer forgets and needs a pick up they just need to call to make arrangements.**
- * Our equipment being used is:**
 - 2006 International with a McNeilus 25yd body , 1996 Ford with McNeilus 25yd body, and a 1996 International with McNeilus 20yd body.**
 - 35 rearload dumpsters from 2 to 8 yards**
 - 125 toter cans**
- * Funds to purchase more equipment as needed.**

VILLAGE OF BREMEN
9090 Marietta Road – P. O. Box 127
Bremen, Ohio 43107
Telephone: 740-569-4788 Fax: 740-569-7085

September 08, 2006

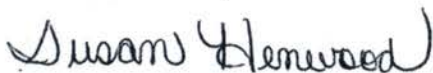
To Whom It May Concern:

This shall serve as a letter of recommendation for Falcon Sanitation. This business owned by Mr. Ed Grubb has served the Village of Bremen as their sanitation hauler since June of 2006.

Falcon Sanitation has done an excellent job collecting trash from residents as well as businesses. They are very neat and courteous. Falcon Sanitation donates fifty cents per customer from Bremen to Fairfield Union Schools.

The Village of Bremen would recommend Falcon Sanitation to anyone desiring their services.

Sincerely,



Susan Henwood
Village Administrator

RECORD OF ORDINANCES

Ordinance No. 5-2007

Passed June 11, 2007
YEAR

ORDINANCE TO REQUIRE FIRE INSURANCE COMPANIES TO PAY INSURANCE BENEFITS, IN PART, TO THE VILLAGE

WHEREAS the Village has an interest in seeing that structures within the Village, which suffer fire damage, are removed, repaired, or secured; and

WHEREAS the law provides some protection to the Village in this regard; and

WHEREAS the Village desires to secure the benefits of said protection;

NOW THEREFORE BE IT ORDAINED BY THE VILLAGE OF

AMANDA, OHIO:

THAT the procedure described in Ohio Revised Code section 3929.86, subsections (C) and (D), are hereby authorized;


THAT the designated officer of the Village, to receive the benefits contemplated by these provisions of the Ohio Revised Code is: The Village Fiscal Officer: P.O. Box 250, Amanda, Ohio 43102;

THAT once this legislation is passed by the Village, the fiscal officer shall cause to be filed with the superintendent of insurance, of the State of Ohio, a certified copy of this ordinance, to be thereby maintained as part of the public record.

THAT this ordinance shall take effect upon the earliest date allowed by law.


MAYOR BRUCE EDLER

VOTE: Yes 5 No 0

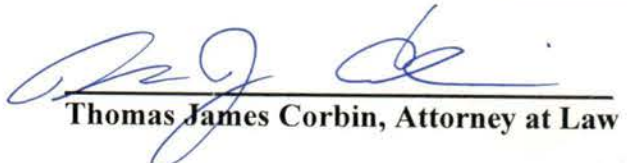
ATTEST.

Carrie Ayers
Fiscal Officer

The Three-Reading Requirement was waived/not waived:

Yeas: 5 Nays: 0

Clerk: 

Approved as to form:


Thomas James Corbin, Attorney at Law

The undersigned, Fiscal Officer of the legislative authority, does hereby certify that the foregoing legislation was posted in not less than five (5) public places, as determined by the legislative authority, for a period of not less than fifteen (15) days prior to the effective date thereof.


Fiscal officer

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 6-2007

Passed Aug 6, 2007

ORDINANCE TO AMEND PROPERTY MAINTENANCE CODE

WHEREAS THE VILLAGE OF AMANDA'S LEGISLATIVE AUTHORITY HAS HERETO ADOPTED AMENDMENTS TO THE PROPERTY MAINTENANCE CODE; AND

WHEREAS THE LEGISLATIVE AUTHORITY NOW DESIRES TO AMEND SECTION .04C-3 TO ADD ADDITIONAL REGULATIONS THAT STATES: (4) ALL OPEN VIOLATIONS ARE TO BE PRIVATE AND OFF LIMITS TO THE PUBLIC; AND THE LEGISLATIVE AUTHORITY WOULD LIKE TO ADD IF A COMMITTEE MEMBER CAN NOT PERFORM SECRETARIAL DUTIES ASSOCIATED WITH PROPERTY MAINTENANCE THE VILLAGE FISCAL OFFICER CAN PERFORM THOSE DUTIES; AND (5) THE NAMES OF THE INSPECTORS AND THEIR PHONE NUMBERS ARE NOT TO BE ON THE VIOLATION;

WHEREAS THE LEGISLATIVE AUTHORITY NOW DESIRES TO AMEND SECTION .05E TO ADD ADDITIONAL REGULATIONS THAT STATE: (4) TRAILERS USED FOR STORAGE ARE NOT PERMITTED ON ANY PROPERTY WITHOUT A VARIANCE, THIS IS FOR ENCLOSED OR NON-ENCLOSED TRAILERS, IF VARIANCE IS ISSUED THE TRAILERS MUST HAVE A STATE LICENSE AND BE LIMITED ON THE LENGTH OF TIME THE TRAILER MAY REMAIN; (5) ALL TRAILERS INCLUDING BOAT TRAILERS MUST REMAIN MOVEABLE, WITH A CURRENT LEGAL LICENSE, AND BE MAINTAINED IN A USEABLE CONDITION AND NOT HOLD WATER;

NOW THEREFORE, LET IT BE ORDAINED BY THE VILLAGE OF AMANDA, OHIO, AND FAIRFIELD COUNTY:

THAT FROM AND AFTER THE EFFECTIVE DATE OF THIS ORDINANCE THE PROPERTY MAINTENANCE CODE SECTION .04C-3 WILL ADOPT (4) ALL OPEN VIOLATION ARE TO BE PRIVATE AND OFF LIMITS TO THE PUBLIC; AND THE LEGISLATIVE AUTHORITY WOULD LIKE TO ADD IF A COMMITTEE MEMBER CAN NOT PERFORM SECRETARIAL DUTIES ASSOCIATED WITH PROPERTY MAINTENANCE THE VILLAGE FISCAL OFFICER CAN PERFORM THOSE DUTIES;

AND (5) THE NAME OF INSPECTORS AND THEIR PHONE NUMBERS ARE NOT TO BE INCLUDED ON THE VIOLATION;

AND 05E WILL ADOPT;

(4) TRAILERS USE FOR STORAGE ARE NOT PERMITTED ON ANY PROPERTY WITHOUT A VARIANCE, THIS IS FOR ENCLOSED AND NON-ENCLOSED TRAILERS, IF VARIANCE IS ISSUED THE TRAILERS MUST HAVE A STATE LICENSE AND BE LIMITED ON THE LENGTH OF TIME THE TRAILER MAY REMAIN;

AND (5) ALL TRAILERS INCLUDING BOAT TRAILERS MUST REMAIN MOVEABLE, WITH A LEGAL CURRENT LICENSE, AND BE MAINTAINED IN A USEABLE CONDITION AND NOT HOLD WATER;

THAT THIS ORDINANCE SHALL TAKE EFFECT FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW.



Mayor Bruce Edler

VOTE: yes 5 no 0

ATTEST:



CARRIE AYERS FISCAL OFFICER

THE THREE READING REQUIREMENT WAS WAS NOT WAIVED:

YEAS 5 NAYS 0

FISCAL OFFICER 

THE UNDERSIGNED, FISCAL OFFICER OF THE LEGISLATIVE AUTHORITY, DOES HEREBY CERTIFY THAT HE FOREGOING LEGISLATION WAS POSTED IN NOT LESS THAN FIVE (5) PUBLIC PLACES, AS DETERMINED BY THE LEGISLATIVE AUTHORITY, FOR A PERIOD OF NOT LESS THAN FIFTEEN (15) DAYS PRIOR TO THE EFFECTIVE DATE THEREOF.


FISCAL OFFICER

RECORD OF ORDINANCES

Ordinance No. 01-2008

Passed 2-8-08, 20

AN ORDINANCE CONCERNING THE MAINTENANCE AND REPAIR OF PUBLIC SIDEWALKS

WHEREAS, the Village desires to see that all public sidewalks within its jurisdiction are kept open, in good repair, and free from nuisance, and **whereas** it is the intent that the village public authorities shall function only in a supervisory capacity with regard to the condition of said sidewalks;

NOW THEREFORE, BE IT ORDAINED BY THE VILLAGE OF AMANDA, OHIO:

THAT all public sidewalks shall be constructed and maintained in accordance with specifications adopted by the village legislative authority on the 4 day of February, 2008, or as may be hereafter amended;

THAT the **primary responsibility** for the maintenance and repair of said sidewalks shall reside with that person, or persons, or entity which holds title to the abutting property;

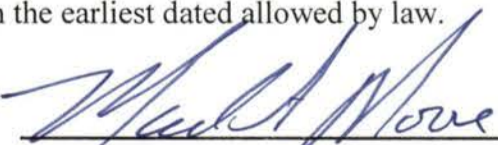
THAT said abutting owner shall indemnify and hold harmless the village from any liability to any person resulting from the condition of said sidewalk, except to the extent that the objectionable condition of the sidewalk results from the intentional conduct, or the gross negligence of the village;

THAT it shall be the duty of the aforesaid abutting owner to monitor and review the condition of said sidewalk, and to see that it conforms to the standards, and specifications adopted by the village;

THAT the village authorities, through the village administrator, may notify in writing the abutting property owner of any condition which requires remediation, in which event the abutting property owner shall take immediate measures to post and to secure the subject premises so as to avoid injury to any person; and shall remediate the matter to conform to village conditions and specifications within a reasonable period of time, not to exceed thirty (30) days from the receipt of written notice to remediate, except as said thirty (30) day period may be extended by written consent of the village administrator;

THAT upon the failure of any abutting property owner to remediate in response to written notice, and/or in compliance with village terms, conditions, and specifications, the village may undertake measures for remediation, or may contract for the same, the cost of which shall be certified to the county auditor/treasurer, and shall be collected in the same manner as are real estate taxes upon the subject premises.

THAT this ordinance shall take effect upon the earliest dated allowed by law.



Mayor Bruce Edler
Mark Meo ne

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 61-2008

Passed 2-8-08, 20

VOTE: Yes 6 No 0

ATTEST:



Carrie Ayers
Fiscal Officer

The Three-Reading Requirement was waived/not waived:

Yeas: 6 Nays: 0

Fiscal Officer: 

Approved as to form:



Thomas James Corbin, Attorney at Law

The undersigned, Fiscal Officer of the legislative authority, does hereby certify that the foregoing legislation was posted in not less than five (5) public places, as determined by the legislative authority, for a period of not less than fifteen (15) days prior to the effective date thereof.



Fiscal Officer

REQUIREMENTS FOR PUBLIC SIDEWALKS, CURBS, AND DRIVEWAY APRONS

1.) GENERAL

All homeowners that are installing or repairing curbs, sidewalks, and driveway aprons will have to follow all village standards set forth:

Before installing a new sidewalk, curb, or driveway apron all homeowners are to contact the village zoning inspector. In addition the village water and sewer department will have to be notified so all water/sewer fixtures can be properly marked. If the homeowner does not contact the water/sewer department and hit a line or connection, the homeowner will be held responsible for the cost of repairing the line or connection.

All plans have to be filled at the village's municipal building for the zoning inspectors review. All plans will have to be approved by the zoning inspector.

An inspection of all work will have to be preformed. It is the homeowner responsibility to contact the zoning inspector for a final inspection. If any deficiencies are noted the homeowner will correct them at his or her expense. All un-inspected concrete work is subject to immediate removal at homeowner's expense.

2.) MATERIALS

Concrete:

All concrete shall conform to ODOT item 499 class "c" with a 28 day compressive strength of 4000 psi, minimum. This mix has a per cubic yard fine aggregate content of 1160 pounds, a coarse aggregate content of 1735 pounds, a cement content of 600 pounds and maximum water /cement ratio of 0.5 . Type I, II, or III cement is permissible.

Concrete Reinforcing:

An integral fiber reinforcing is permitted

Steel mesh reinforcing can be used when doing a drive apron, but is not permitted on any sidewalks.

Concrete Curing:

All concrete shall be cured.

Forms:

Steel or wood forms shall be suitably secure against any movement during casting, but properly flagged off for pedestrian safety.

Base Stone:

Base stone shall consist only of compacted limestone aggregate conforming to the specified thickness and gradation contained herein. Slag in any form will not be permitted.

3.) EXECUTION

Sidewalk:

Every street within the Village limits has a sidewalk width specification. New sidewalks will have to match this width and shall accurately align with existing sidewalks.

All walks should be at least 4 inches thick and be made of cast-in-place-concrete. Alternate materials and designs must be approved by the zoning inspector prior to installation.

Sidewalks shall slope toward the curb at a 1/4 inch per foot width, for proper draining.

All tooled control joints are to be spaced evenly.

All edges are to be tooled and all fins are to be removed.

Expansion joints shall be placed every 4th or 5th block and have tooled edges. A broom finish shall be applied

Preparation of concrete casting shall consist of grading, leveling, compacting the soil surface, followed by placing a minimum of 3 inches of #57 limestone or ODOT item 304 compacted limestone base

Curb Ramps:

Curb ramps shall be installed at all cross walk locations. The installation shall conform to Ohio Department of Transportation Standard Construction Drawing BP-7.1. Base of ramp shall be flush with the top of pavement, shall be the same width as the sidewalk and shall be aligned with the centerline of sidewalk.

Curbs:

All curbs to be removed will have to be completely removed to 1' to 6' inches below pavement grade. All curbs designs shall conform to ODOT Standard Construction Drawing BP-5.1. Contact the zoning inspector for the curb type to use. Curb elevation can not be higher than the sidewalk. New curbs shall extend the full width of property.

Control joints shall be saw cut every 20 feet and sealed. Any existing underdrains disturbed and removed as part of the work shall be restored with 6inch diameter perforated pvc underdrain pipe securely joined with adjacent underdrain pipe to remain and/or to a catch basin. All connections shall be inspected by the village zoning inspector prior to bedding. Underdrain bedding shall consist of washed #8 limestone placed at least 3inches above the top of pipe.

Drive Aprons:

The requirements for drive aprons include the sidewalk blocks between apron and the private driveway.

Drive aprons shall be 6 inches thick. The width at the sidewalk shall match the width of the private drive. The apron shall flair 1'-6" to 2', minimum. Contact the zoning inspector for prior approval if design variations are desired.

Existing curbs shall be completely removed and replaced with concrete block 6 inches wide by 18 inches deep integral with the apron concrete. Joints with existing curb to remain shall be saw cut full depth neat and true. Where drive aprons and curbs are cast separately, the curb portion shall extend a minimum 1' below pavement grade.

The subgrade soil shall be rolled and compacted prior to placing subbase stone. Subbase stone shall consist of ODOT item 304 and shall be between 4 to 6 inches thick. If steel mesh is used for reinforcement, it shall be placed with the w8.5 wires parallel to the apron centerline. The steel mesh shall be supported on chairs (not blocks) between 3 to 4 inches above the base stone surface.

Apron shall be broom finished and all edges shall be tooled.

Utility Fixtures:

It is the responsibility of the homeowner to contact all utility fixtures that exist within the work area as well as Ohio Utilities Protection Service (O.U.P.S) at 1-800-362-2764 prior to work. Don't forget to contact the village's water and sewer departments at the municipal building at (740) 969-4771.

ORDINANCE NO. 02-2008

AN ORDINANCE APPROVING, ADOPTING AND ENACTING AMERICAN LEGAL PUBLISHING'S OHIO BASIC CODE, 2008 EDITION, AS THE CODE OF ORDINANCES FOR THE MUNICIPALITY OF Village of Amanda, OHIO, AND DECLARING AN EMERGENCY.

WHEREAS, the present general and permanent ordinances of the municipality are inadequately arranged and classified and are insufficient in form and substance for the complete preservation of the public peace, health, safety and general welfare of the municipality and for the proper conduct of its affairs.

WHEREAS, American Legal Publishing Corporation publishes a Code of Ordinances suitable for adoption by municipalities in Ohio.

WHEREAS, it is necessary to provide for the usual daily operation of the municipality and for the immediate preservation of the public peace, health, safety and general welfare of the municipality that this ordinance take effect at an early date.

NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE AUTHORITY OF THE MUNICIPALITY OF Village of Amanda, OHIO:

- Section 1.** American Legal Publishing's Ohio Basic Code, 2008 Edition, as reviewed and approved by the Legislative Authority, is hereby adopted and enacted. Any prior version of the Ohio Basic Code which may have been previously adopted by the municipality is hereby repealed as obsolete and is hereby replaced in its entirety by this Ohio Basic Code, 2008 Edition.
- Section 2.** One copy of American Legal Publishing's Ohio Basic Code, 2008 Edition, certified as correct by the Mayor and Clerk of the Legislative Authority, as required by Ohio Revised Code § 731.23, shall be kept in its initial form on file in the office of the Clerk of the municipality and retained as a permanent ordinance record of the municipality. The Clerk of the municipality is authorized and directed to publish a summary of all new matters contained in the Code of Ordinances as required by Ohio Revised Code § 731.23. Such summary is attached hereto and marked as "Exhibit A".
- Section 3.** All ordinances and resolutions or parts thereof which are in conflict or inconsistent with any provision of the Ohio Basic Code, 2008 Edition, as adopted in Section 1 hereof, are hereby repealed as of the effective date of this ordinance, except as follows:
- (A) The enactment of the Ohio Basic Code, 2008 Edition, shall not be construed to affect a right or liability accrued or incurred under any legislative provision prior to the effective date of such enactment, or an action or proceeding for the enforcement of such right or liability. Such enactment shall not be construed to relieve any person from punishment for an act committed in violation of any such legislative provision, nor to affect an indictment or prosecution therefor. For such purposes, any such legislative provision shall continue in full force notwithstanding its repeal for the purpose of revision and codification.

- (B) The repeal provided above shall not affect:
- (1) The grant or creation of a franchise, license, right, easement or privilege;
 - (2) The purchase, sale, lease or transfer of property;
 - (3) The appropriation or expenditure of money or promise or guarantee of payment;
 - (4) The assumption of any contract or obligation;
 - (5) The issuance and delivery of any bonds, obligations or other instruments of indebtedness;
 - (6) The levy or imposition of taxes, assessments or charges;
 - (7) The establishment, naming, vacating or grade level of any street or public way;
 - (8) The dedication of property or plat approval;
 - (9) The annexation or detachment of territory;
 - (10) Any legislation enacted subsequent to the adoption of this ordinance.
 - (11) Any legislation specifically superseding the provision of the Ohio Basic Code.

Section 4. This ordinance is declared to be an emergency measure necessary for the immediate preservation of the peace, health, safety and general welfare of the people of this municipality, and shall take effect at the earliest date provided by law.

Date
Passed: 2-4-08

Attest:



Mayor



Clerk of the Legislative Authority

CERTIFICATION OF CODIFIED ORDINANCES

We, Mark Moore, Mayor, and Carrie Myers, Clerk of the Legislative Authority, of the Municipality of _____, Ohio, pursuant to Ohio Revised Code §§ 731.23 and 731.42, hereby certify that the general and permanent ordinances of the Municipality, as revised, rearranged, compiled, renumbered as to sections, codified and printed herewith in component codes and titles are correct as and constitute the Code of Ordinances for the Municipality of Village of Amund, Ohio.



Mayor



Clerk of the Legislative Authority

Exhibit A

OHIO BASIC CODE, 2008 EDITION — SUMMARY OF CONTENTS

Notice is hereby given that on the 4 day of February, 2008, there was enacted by the Legislative Authority of the Municipality of Village of Amanda, Ohio, an ordinance entitled "An Ordinance Approving, Adopting and Enacting American Legal Publishing's Ohio Basic Code, 2008 Edition, as the Code of Ordinances for the Municipality of Village of Amanda, Ohio."

A summary of the subjects, including all new matters contained in the Code of Ordinances, as adopted, are as follows. The majority of Basic Code provisions are based directly on state law.

TITLE I: GENERAL PROVISIONS

Chapter 10: General Provisions

Section	
10.01	Short titles
10.02	Definitions
10.03	Rules of construction
10.04	Revivor; effect of amendment or repeal
10.05	Construction of section references
10.06	Conflicting provisions
10.07	Severability
10.08	Reference to offices
10.09	Errors and omissions
10.10	Ordinances repealed
10.11	Ordinances unaffected
10.12	Ordinances saved
10.13	Application to future ordinances
10.14	Interpretation
10.15	Amendments to code; amendatory language
10.16	Statutory references
10.17	Preservation of penalties, offenses, rights and liabilities
10.18	Determination of legislative intent
10.99	General penalty

TITLE III: ADMINISTRATION

Chapter 30: General Provisions

Section	
30.01	Application of Title III
30.02	Qualifications; oaths
30.03	Bonds of officers and employees; amount
30.04	Additional bond; where bonds recorded and kept
30.05	Approval of bonds
30.06	Sufficiency of form of bond
30.07	Filling vacancies in offices
30.08	Public records available
30.09	Records Commission
30.10	Meetings of public bodies to be open; exceptions; notice
30.11	Municipal officers may attend conference or convention; expenses
30.12	Residency requirements prohibited; exceptions

Chapter 31: Executive Authority

Section	
	<i>General Provisions</i>
31.01	Executive power; where vested

Mayor

- 31.05 Term of Mayor; power and duties
- 31.06 General duties of the Mayor
- 31.07 Communications to the Legislative Authority
- 31.08 Protest against excess of expenditures
- 31.09 Supervision of conduct of officers
- 31.10 Annual report to the Legislative Authority
- 31.11 Mayor to file charges against delinquent officers
- 31.12 Vacancies in office of Mayor
- 31.13 Disposition of fines and other moneys

Clerk

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This summary of contents has been verified and authorized for publication by the Legislative Authority of the Municipality of Village of Amador, Ohio.

Signed:



Mayor



Clerk of the Legislative Authority

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 03-2008

Passed March, 2008

ORDINANCE TO AMEND PROPERTY MAINTENANCE CODE

Whereas the Village of Amanda's legislative authority has hereto adopted amendments to the property maintenance code; and

Whereas the legislative authority now desires to amend section 05.-D of the maintenance code to reference the ordinance 01-2008 that pertains to the maintenance and repair of public sidewalks, curbs, and driveway aprons

NOW THEREFORE, LET IT BE ORDAINED BY THE VILLAGE OF AMANDA, OHIO, AND FAIRFIELD COUNTY:

That from and after the effective date of this ordinance the property maintenance code section 05-D will reference the ordinance 01-2008 that pertains to maintenance and repair of sidewalks, curbs, and driveway aprons;

That this ordinance shall take effect from and after the earliest period allowed by law.



Mayor Mark A. Moore

Vote: yes 5 no 0

Attest:



Fiscal Officer Carrie Ayers

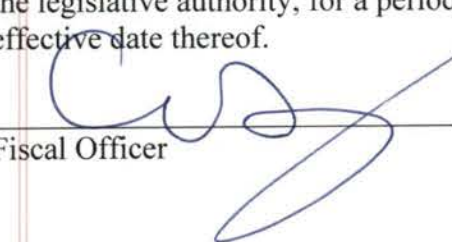
The three reading requirement was / was not waived:

yeas 5 nays 0



Fiscal Officer

The undersigned, Fiscal Officer of the legislative authority, does hereby certify that the foregoing legislation was posted in not less than (5) five public places, as determined by the legislative authority, for a period of not less than (15) fifteen days prior to the effective date thereof.



Fiscal Officer

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 04-2008

Passed 6-2-08, 20


ORDINANCE TO INCREASE TRASH RATES

WHEREAS, the operating cost (due to fuel rate increases) requires adjustments in rates for trash service; Falcon Sanitation is increasing their rates by \$1.25

WHEREAS, the village must act on the issue immediately; rates are to be increased \$1.25

THAT THIS ORDINANCE SHALL TAKE EFFECT FROM AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE OF AMANDA, OHIO;


Mayor ~~Bruce Edler~~

Vote: Yeas: 4 Nays: 1

Attest:


Carrie Ayers Fiscal Officer

The Three- Reading-Requirement was waived/ not waived:

Yeas: 4 Nays: 1

Fiscal Officer 

RECORD OF ORDINANCES

Dayton Legal Blank Co.

Form No. 30043

Ordinance No. Ord # 1-2009

Passed 2-2-09

2009
YEAR

ORDINANCE TO PROVIDE FOR CONSTANT SEWER DEBT SERVICE CHARGE, AND DECLARING AN EMERGENCY

WHEREAS, all properties/premises which have access to the Village sewer system are presently charged a debt service fee; and

WHEREAS, the Village has heretofore not required payment of said debt service fee when utility service to certain premises has been discontinued due to vacancy or other cause; and


WHEREAS, the debt of the Village regarding the sewer system continues unabated irrespective of whether or not utility service is continued or discontinued to the subject premises;

NOW THEREFORE, BE IT ORDAINED BY THE VILLAGE OF AMANDA, OHIO:

That for so long as any property/premises has access to the Village sewer system, via a tap installation relative to said premises, that portion of the monthly charge which relates to **debt service** shall continue to be charged, and shall be due and owing, without regard to whether or not the subject premises are occupied or unoccupied, and without regard to whether or not utility usage continues or is discontinued;

That this ordinance is hereby declared to be an emergency measure given the need to maintain revenues sufficient with which to meet the debt obligation incurred;

That this ordinance, upon affirmative vote by two-thirds (2/3), of the Village council, shall take immediate effect.


Mayor ~~Braxton~~ Mark A. Moore

VOTE:

Yes 6

No 0

ATTEST:


Carrie Ayers
Fiscal Officer

The Three-Reading Requirement was waived/not waived:

Yeas: 6 Nays: 0

Fiscal Officer: 

RECORD OF ORDINANCES

Dayton Legal Blank Co.

Form No. 30043

Ordinance No. ^{Ord #}

1-2009

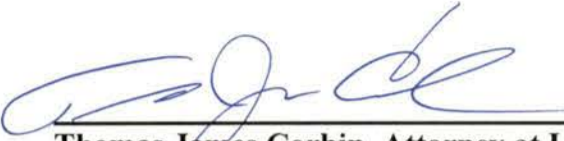
Passed

2-2-

2009

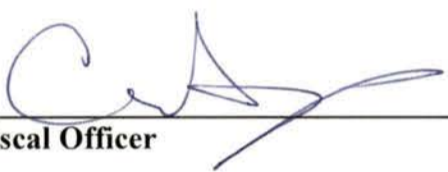
YEAR

Approved as to form:



Thomas James Corbin, Attorney at Law

The undersigned, Fiscal Officer of the legislative authority, does hereby certify that the foregoing legislation was posted in not less than five (5) public places, as determined by the legislative authority, for a period of not less than fifteen (15) days prior to the effective date thereof.



Fiscal Officer

ORDINANCE NO. Ord 2-2009

AN ORDINANCE APPROVING, ADOPTING AND ENACTING AMERICAN LEGAL PUBLISHING'S OHIO BASIC CODE, 2009 EDITION, AS THE CODE OF ORDINANCES FOR THE MUNICIPALITY OF Village of Amador, OHIO, AND DECLARING AN EMERGENCY.

WHEREAS, the present general and permanent ordinances of the municipality are inadequately arranged and classified and are insufficient in form and substance for the complete preservation of the public peace, health, safety and general welfare of the municipality and for the proper conduct of its affairs.

WHEREAS, American Legal Publishing Corporation publishes a Code of Ordinances suitable for adoption by municipalities in Ohio.

WHEREAS, it is necessary to provide for the usual daily operation of the municipality and for the immediate preservation of the public peace, health, safety and general welfare of the municipality that this ordinance take effect at an early date.

NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE AUTHORITY OF THE MUNICIPALITY OF Village of Amador, OHIO:

Section 1. American Legal Publishing's Ohio Basic Code, 2009 Edition, as reviewed and approved by the Legislative Authority, is hereby adopted and enacted. Any prior version of the Ohio Basic Code which may have been previously adopted by the municipality is hereby repealed as obsolete and is hereby replaced in its entirety by this Ohio Basic Code, 2009 Edition.

Section 2. One copy of American Legal Publishing's Ohio Basic Code, 2009 Edition, certified as correct by the Mayor and Clerk of the Legislative Authority, as required by Ohio Revised Code § 731.23, shall be kept in its initial form on file in the office of the Clerk of the municipality and retained as a permanent ordinance record of the municipality. The Clerk of the municipality is authorized and directed to publish a summary of all new matters contained in the Code of Ordinances as required by Ohio Revised Code § 731.23. Such summary is attached hereto and marked as "Exhibit A".

Section 3. All ordinances and resolutions or parts thereof which are in conflict or inconsistent with any provision of the Ohio Basic Code, 2009 Edition, as adopted in Section 1 hereof, are hereby repealed as of the effective date of this ordinance, except as follows:

- (A) The enactment of the Ohio Basic Code, 2009 Edition, shall not be construed to affect a right or liability accrued or incurred under any legislative provision prior to the effective date of such enactment, or an action or proceeding for the enforcement of such right or liability. Such enactment shall not be construed to relieve any person from punishment for an act committed in violation of any such legislative provision, nor to affect an indictment or prosecution therefor. For such purposes, any such legislative provision shall continue in full force notwithstanding its repeal for the purpose of revision and codification.

(B) The repeal provided above shall not affect:

- (1) The grant or creation of a franchise, license, right, easement or privilege;
- (2) The purchase, sale, lease or transfer of property;
- (3) The appropriation or expenditure of money or promise or guarantee of payment;
- (4) The assumption of any contract or obligation;
- (5) The issuance and delivery of any bonds, obligations or other instruments of indebtedness;
- (6) The levy or imposition of taxes, assessments or charges;
- (7) The establishment, naming, vacating or grade level of any street or public way;
- (8) The dedication of property or plat approval;
- (9) The annexation or detachment of territory;
- (10) Any legislation enacted subsequent to the adoption of this ordinance.
- (11) Any legislation specifically superseding the provision of the Ohio Basic Code.

Section 4. Whenever reference is made in any documents, publications, or signs of the municipality, including but not limited to traffic tickets and traffic-control signs, to a section as it existed in a former edition of the Ohio Basic Code, the reference shall extend and apply to the section referred to as subsequently amended, revised, recodified, or renumbered. A summary of sections renumbered from the Ohio Basic Code, 2008 Edition to the Ohio Basic Code, 2009 Edition is attached as Exhibit B.

Section 5. This ordinance is declared to be an emergency measure necessary for the immediate preservation of the peace, health, safety and general welfare of the people of this municipality, and shall take effect at the earliest date provided by law.

Date

Passed:

2-2-09

Attest:



Mayor



Clerk of the Legislative Authority

CERTIFICATION OF CODIFIED ORDINANCES

We, Mark A. Moore, Mayor, and Carrie Apers, Clerk of the Legislative Authority, of the Municipality of Village of Amanda, Ohio, pursuant to Ohio Revised Code §§ 731.23 and 731.42, hereby certify that the general and permanent ordinances of the Municipality, as revised, rearranged, compiled, renumbered as to sections, codified and printed herewith in component codes and titles are correct as and constitute the Code of Ordinances for the Municipality of Village of Amanda, Ohio.



Mayor



Clerk of the Legislative Authority

Exhibit A

OHIO BASIC CODE, 2009 EDITION — SUMMARY OF CONTENTS

Notice is hereby given that on the 2 day of March, 2009, there was enacted by the Legislative Authority of the Municipality of Village of Amundson, Ohio, an ordinance entitled "An Ordinance Approving, Adopting and Enacting American Legal Publishing's Ohio Basic Code, 2009 Edition, as the Code of Ordinances for the Municipality of Village of Amundson, Ohio."

A summary of the subjects, including all new matters contained in the Code of Ordinances, as adopted, are as follows. The majority of Basic Code provisions are based directly on state law.

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Signed:



Mayor



Clerk of the Legislative Authority

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RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 03-09

Passed 4-6-09, 2009

ORDINANCE DECLARING CERTAIN PROPERTY A NUISANCE AND SEEKING ABATEMENT AND DECLARING AN EMERGENCY

Whereas on the premises identified as the old furniture store on E. Main St.; and ¹³⁴

Whereas the said structure on said premises is not structurally sound and poses a safety risk to the public; and

Whereas the title owner of said premises; Elsie Bookman, has hereto been notified by the village authorities to abate the structure from said property;

Whereas the said title owner of record has failed to do so;

NOW THEREFORE BE IT ORDAINED BY THE VILLAGE OF AMANDA, OHIO:

That the village Legislative Authority does hereby declare its intent to remove said structure;

That prior thereto, the Legislative Authority shall give at least thirty (30) days written notice, by certified mail, of its intention to remove said structure;

That said notice shall go to the title owner of said premises, and to the holder of legal or equitable liens of record upon the subject real property informing them of the opportunity to enter into an agreement with the village to remove the aforesaid structure;

That the total cost incurred by the village in the process of removing the aforesaid structure shall be recovered by certifying said cost, along with a legal description of the subjects premises, to the Fairfield County Auditor, who shall place said cost upon the tax duplicate relating to the subjects premises, which costs shall be a lien upon the land from and after the date of entry, and which shall be collected as other taxes and returned to the municipal corporation;

That this ordinance shall be deemed an emergency measure, given the hazards presented to the public by virtue of the unsafe structure on said property;

That this ordinance shall take effect upon the earliest date allowed by law.


Mayor Mark A. Moore

Vote 5 yes 0 no

Attest:


Carrie Ayers Fiscal Officer

The three reading requirement was waived not waived:

Yeas 5 nays 0

The undersigned, Fiscal Officer of the Legislative Authority, does hereby certify that the foregoing legislation was posted in not less than five (5) public places, as determined by the legislative authority, for a period of not less than fifteen (15) days prior to the effective date thereof.


Fiscal Officer

Ord. 4 - 2009

ORDINANCE TO AMEND ZONING TO ADD FENCING REGULATION

Whereas the village legislative authority would like to amend the zoning code to add fencing regulation; and

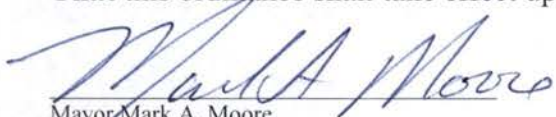
Whereas the zoning on the fencing will have no fee; and

NOW THEREFORE LET IT BE ORDAINED BY THE VILLAGE OF AMANDA, OHIO

That the zoning code be amended to add the fencing regulation as set forth in attachments A and B; and

That the fencing zoning regulation will have no fee.

That this ordinance shall take effect upon the earliest date allowed by law



Mayor Mark A. Moore

Vote 5 yes 0 no

Attest:



Carrie Ayers Fiscal Officer

The three reading requirement was waived/not waived:

Yeas 5 nays 0

The undersigned, Fiscal Officer of the Legislative Authority, does hereby certify that the foregoing legislation was posted in not less than five (5) public places, as determined by the legislative authority, for a period of not less than fifteen (15) days prior to the effective date thereof.



Fiscal Officer

A.

"Fence" or "wall" means any structure composed of wood, metal, stone, brick or other material, including hedges or other plants, (as approved by the zoning inspector) erected in such a manner and location so as to enclose, partially enclose or divide any premises or part of premises for the purpose of confinement, screening, partitioning, or decoration. Trellises or other structures for the purpose of supporting vines, flowers or other vegetation, when erected in such a position so as to enclose, partially enclose or divide any premises or any part of premises shall also be considered a fence. A "decorative fence" means a fence that is not suited for the containment of animals or property, in which the opacity of the fence is less than twenty-five percent (25%).

No fence or wall, as defined above may be erected within the Village of Amanda unless the property owner or his or her agent files application with the Zoning Inspector. Such application shall include a drawing of the lot, showing the actual location of the proposed fence or wall. The property owner shall determine property lines and certify that the fence or wall does not encroach upon another lot or parcel of land. The granting of a permit to construct a fence in no way shall be considered as the Village's authorization that the property lines as shown on the application are correct.

A. Height and Location:

The permitted height of a fence or wall shall be determined by its location on the property as follows:

1. A decorative fence or wall not exceeding forty-eight (48) inches in height may be erected within the front yard provided that the fence or hedge is located not less than five (5) feet from the street right of way line, and further provided that the provisions below are met.
2. A fence or wall not exceeding seventy-two (72) inches in height may be erected in any area of the lot as long as the fence or wall is wholly on the premises and the fence or wall is set back off any alley or street right of way five (5) feet.
3. No fence, hedge or wall shall be erected on any lot in such a manner so as to obscure the vision of motorists approaching any street or alley intersection, within a twenty-five (25) feet clear sight distance along either street or alley approaching said intersection.

B. Prohibited Fence

No person shall erect or maintain any fence or wall charged with electrical current, nor shall any person erect or maintain any non-decorative fence or wall having wire or metal prongs or spikes, or other cutting points or edges

byemen

Section 22.03 Residential Fences and/or Hedges

A "Fence" or "wall" means any structure composed of wood, metal, stone, brick or other material, including hedges or other plants, erected in such a manner and location so as to enclose, partially enclose or divide any premises or part of premises for the purpose of confinement, screening, partitioning, or decoration. Trellises or other structures for the purpose of supporting vines, flowers or other vegetation, when erected in such a position so as to enclose, partially enclose or divide any premises or any part of premises shall also be considered a fence. A "decorative fence" means a fence that is not suited for the containment of animals or property, in which the opacity of the fence is less than twenty-five percent (25%).

B No fence or wall, as defined above, may be erected within the Village of ~~Bozeman~~ *Amanda* unless the property owner or his agent files application with the Zoning Inspector. Such application shall include a drawing of the lot, showing the actual location of the proposed fence or wall. The property owner shall determine property lines and certify that the fence or wall does not encroach upon another lot or parcel of land. The granting of a permit to construct a fence in no way shall be considered as the Village's authorization that the property lines as shown on the application are correct.

A. Height and Location

The permitted height of a fence or wall shall be determined by its location on the property as follows:

1. A decorative fence or wall no exceeding 48 inches in height may be erected within the front yard provided that the fence or hedge is located not less than three (3) feet from the street right-of-way line, and further provided that the provisions of 22.03.A.03 below are met.
2. A fence or wall not exceeding seventy-two inches (72") in height may be erected in any area of the lot, ~~behind the building setback line.~~ *IT must be wholly on your lot*
3. No fence, hedge, or wall shall be erected on any lot in such a manner so as to obscure the vision of motorists approaching any street or alley intersection, within a twenty-five (25) feet clear sight distance along either street or alley approaching said intersection.

B. Prohibited Fence

No person shall erect or maintain any fence or wall charged with electrical current, nor shall any person erect or maintain any nondecorative fence or wall having wire or metal prongs or spikes, or other cutting points or edges.

What procedure put in fencing

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 05-2009

Passed 4-6-09, 20

ORDINANCE DECLARING CERTAIN PROPERTY A NUISANCE AND SEEKING ABATEMENT AND DECLARING AN EMERGENCY

WHEREAS on the premises identified as 126 E. Main Street, Amanda, Ohio; and

WHEREAS on said premises there is a refrigerated trailer and a box trailer, creating a unsafe and insecure condition that posses a hazard to human life; and

WHEREAS the title owner of record of said premises; James Howard, has heretofore been notified, by the appropriate village authorities, to abate the before mentioned trailers from said premises; and

WHEREAS the said title owner of record has failed to do so;

NOW THEREFORE BE IT ORDAINED BY THE VILLAGE OF AMANDA, OHIO:

THAT the Ohio Basic Code 93.26 (RC 3767.29) state no person shall knowingly permit a refrigeration unit whether an ice box size or simi-airtight container size to remain on premises under said person control, for it posses a hazardous risk to human life;

THAT the villages Property Maintenance Code and Ordinances also states that no trailer can be used for storage within said village limits,

THAT the village Legislative Authority does hereby declare its intent to remove said trailers;

THAT prior thereto, the Legislative Authority shall give at least a thirty (30) day written notice, by certified mail, of its intention to remove said trailers;

THAT said notice shall go to the title owner(s) of said premises, and to the holders of legal or equitable liens of record upon the subject real property informing them of the opportunity to enter into an agreement with the village to remove the aforesaid trailers;

THAT the total cost incurred by the village in the process of removing the aforesaid structures shall be recovered by certifying said cost, along with a legal description of the subject premises, to the Fairfield County Auditor, who shall place said cost upon the tax duplicate relating to the subject premises, which costs shall be a lien upon the land from and after the date of entry, and which shall be collected as other taxes and returned to the municipal corporation;

THAT this ordinance shall be deemed an emergency measure, given the hazards presented to the public by virtue of the unsafe, insecure, refrigerated trailer and box trailer;

THAT this ordinance shall take effect upon the earliest date allowed by law.


Mayor Mark A. Moore

Vote 4 yes 1 Abstained no

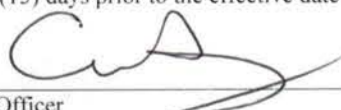
Attest:


Carrie Ayers Fiscal Officer

The three reading requirement was waived/not waived:

Yeas 4 nays 1 Abstained

The undersigned, Fiscal Officer of the Legislative Authority, does hereby certify that the foregoing legislation was posted in not less than five (5) public places, as determined by the legislative authority, for a period of not less than fifteen (15) days prior to the effective date thereof.


Fiscal Officer

Village of Amanda

AMANDA, OHIO

NOTICE OF EXISTENCE OF NUISANCE, REQUEST TO ABATE

The Village of Amanda

To: James Howard _____, ²⁰⁰⁹~~19~~
5152 Ashville Fairfield Rd
Ashville, Ohio 43103

Notice is hereby given of

Nuisance of Refrigeration trailer + Box trailer

according to section 93.26 of the Ohio Basic Code (RC 3767.29) + Village ordinance ^{Property Maint Code}

located on or originating from your real estate at: 126 E.

Main St., Ohio, which condition has

been defined by ordinance as a nuisance.

It is requested that you abate this nuisance in the following manner: remove trailers - Box + Refrigerated

from premises within 30 days of receipt of this letter

This work must be done no later than _____, ²⁰⁰⁹~~19~~,

otherwise the work may be done by the Village and the cost thereof assessed on your real estate. Estimated cost in such case is \$ _____.

Respectfully,

Mark A Moore

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 06-2009

Passed April 17, 2009

ORDINANCE FOR RAILS TO TRAILS FUNDING

Whereas the village legislative authority would like to set aside \$5,000;

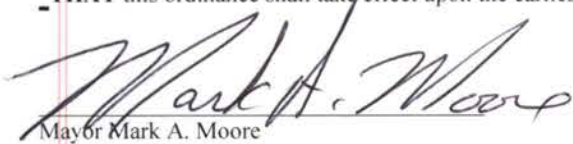
Whereas the money to be taken from Hedges Fund;

Whereas the money will be submitted as part of the village's contribution to the Rails to Trails route.
Through our property;

NOW THEREFORE BE IT ORDAINED BY THE VILLAGE OF AMANDA, OHIO:

That \$5,000 of the Hedges fund is earmarked for the Rails-to-Trails Project.

THAT this ordinance shall take effect upon the earliest date allowed by law.


Mayor Mark A. Moore

Vote 5 yes 0 no

Attest:


Carrie Ayers Fiscal Officer

The three reading requirement was waived/not waived:

Yeas 5 nays 0

The undersigned, Fiscal Officer of the Legislative Authority, does hereby certify that the foregoing legislation was posted in not less than five (5) public places, as determined by the legislative authority, for a period of not less than fifteen (15) days prior to the effective date thereof.


Fiscal Officer

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 07-2009

Passed 9-14, ~~20~~²⁰⁰⁹

ORDINANCE TO ESTABLISH THE POSITION OF PROPERTY MAINTAINANCE INSPECTOR AND SET PAY RATES, AND ADOPT THE INTERNATIONAL PROPERTY MAINTENANCE CODE ^{2009 version}

Whereas, the Village Council is of the opinion that the Property Maintenance Inspector can most efficiently be managed by a single inspector;

Whereas, this position is to be a hired position, to be approved by majority vote of the Village Legislative Authority;

Whereas, this inspector is to perform duties provided by the Legislative Authority of Village of Amanda, and any other duties consistent with the nature of the position as may hereafter provided for by municipal ordinance;

Whereas, the Village's Council would like to set pay rate for this inspector to \$300.00 per quarter;

Whereas, the Legislative Authority wishes to dissolve the Property Maintenance Code that is in affect now and then adopt the International Property Maintenance Code;

Now therefore let it be ordained, by the village's legislative authority of the Village of Amanda, Ohio, Fairfield County:

That the position of Property Maintenance Inspector is to be changed to a single hired person, hired by a majority vote of the Legislative Authority;

That the Legislative Authority shall set forth duties (see attachment for duties) that said inspector is to follow, along with any other duties provided hereafter by ordinance.

That the rates be set at \$300.00 per quarter;

That the Property Maintenance Code that is in effect now be abolished, and the ²⁰⁰⁹ International Property Maintenance Code be adopted;

That this ordinance shall take effect upon the earliest date allowed by law.


Mayor Mark A. Moore

Attest:


Carrie Ayers Fiscal Officer

The Three-Reading Requirement was waived/ not waived:

Yeas 4
Nays 0

The undersigned, Fiscal Officer of the Legislative Authority, does hereby certify that the foregoing legislation was posted in not less than five (5) public places, as determined by the legislative authority, for a period of not less than fifteen (15) days prior to the effective date thereof.


Fiscal Officer

08-2009
10-2-09

**AN ORDINANCE ADOPTING AN UPDATED VERSION (2009) OF THE
INTERNATIONAL PROPERTY MAINTENANCE CODE, AS
AMENDED, TOGETHER WITH UPDATED REVISIONS TO SAID
CODE**

WHEREAS, the Village adopted the 2009 International Property Maintenance Code (hereinafter "the Code") as amended, in Ordinance 07-2009 on September 14, 2009; and

WHEREAS, the Village desires to adopt an updated version of the Code, together with updated revisions to the Code in order to continue to regulate buildings and structures for the safety of the Village's citizens; and

WHEREAS, Property maintenance Committee has reviewed the proposed amendments and updates and recommends adoption of the same;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL
OF THE VILLAGE OF Amanda, FAIRFIELD COUNTY,
OHIO, A MAJORITY OF ITS MEMBERS CONCURRING:

SECTION 1: That certain documents, a copy of which is on file at the Village Town Hall, being marked and designated as various provisions of the 2009 International Property Maintenance Code as published by the International Code Council, Inc., be and is hereby adopted as the Property Maintenance Code of the Village of Amanda, in the State of Ohio; for the control of buildings and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code, which Code is attached hereto in its entirety, are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additional insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

SECTION 2: The following sections are hereby revised:

- a) Section 101.1 Reference shall be made to the "Village of Amanda, Ohio."
- b) Section 103.1, et seq. All references to "Chief appointing authority" shall read "Mayor," and all references to "code official" shall read "Code Enforcement Officer."
- c) Section 103.5, (Fees), Insert: "A fee of \$125.00 for the first hour and an additional fee of \$25.00 for each additional hour thereafter, for each visit to the property in violation, shall be assessed to the property owner or agent responsible for the property, for enforcing the provisions of this Code relating to: labor expenses to mow, remove weeds and/or junk; and the preparation and processing of all documentation related thereto."
- d) Section 106.3, (Prosecution of violation), the first sentence is amended to read as follows: "Any person failing to comply with a notice of violation or order served in accordance with Section 107 shall be deemed guilty of a misdemeanor of the first degree, and the violation shall be deemed a strict liability offense."
- e) Section 111.2, et seq. All references to "Board of Appeals" shall read "Board of Zoning Appeals."
- f) Sections 111.2.1; 111.2.2; 111.2.3; 111.2.4; and 111.2.5 shall be deleted.
- g) Section 112.4 (Failure to Comply) shall read as follows: "Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for prosecution as set forth in Section 106.3."

- h) Section 302.3, (Sidewalks and driveways), shall include the following: "Hazardous conditions, for purposes of this provision, shall not include snow and/or ice."
- i) Section 302.4, (Weeds), first sentence thereof, shall read as follows: All premises and exterior property shall be maintained free from weeds or plant growth in excess of six (6) inches.
- j) Section 304.14, (Insect screens), Insert: "May 1st," and "September 1st."
- k) Section 602.3, (Heat supply), Insert: "October 1st," and "April 1st."
- l) Section 602.4 (Occupiable work spaces), Insert: "October 1st," and "April 1st."

- m) See Exhibit B for procedures and forms.
- n) Enforcement: Performed by the Code Enforcement Officer through complaints.
- p) See Chapter 8 ("Referenced Standards") of the Code, and Appendix A ("Boarding Standards"), which standards are adopted herein in their entirety.

SECTION 3: That all ordinances or parts thereof which are in conflict or inconsistent with any provision of the new matter adopted in this ordinance are hereby repealed as of the effective date of this ordinance, except as follows:

- a) The enactment of such sections shall not be construed to affect a right or liability accrued or incurred under any legislative provision prior to the effective date of such enactment, or an action or proceeding for the enforcement of such right or liability. Such enactment shall not be construed to relieve any person from punishment for an act committed in violation of any such legislative provision, nor to affect an indictment or prosecution therefor. For such purposes, any such legislation shall continue in full force notwithstanding its repeal for the purpose of revision and recodification.

- b) The repeal provided above shall not affect any legislation enacted subsequent to the effective date of the adoption of this ordinance.

SECTION 4: That if any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Amanda Village Council hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

SECTION 5: That the Clerk of Council is hereby ordered and directed to cause this ordinance to be published as provided by law.


SECTION 6: This ordinance shall become effective at the earliest period authorized by law.



Mark Moore, Mayor

DATE OF PASSAGE: 11-2-09

EFFECTIVE DATE: 11-18-09

ATTEST: 
Carrie Ayers, Clerk-Treasurer

APPROVED AS TO FORM: _____
Thomas Corbin, Village Solicitor

EXHIBIT B

VILLAGE OF Amanda, OHIO

Operating Procedures and Forms

International Property Maintenance Code

GENERAL PROCEDURE

1. After receipt of a complaint or scheduling of an inspection, make the initial inspection of the dwelling unit(s) or structure.
2. Determine the name and current mailing address of the owner or a responsible person (i.e., manager) and all occupants, if further action will be required.
3. If code violations are noted, go to Procedure I (Repairs) for ordinary repairs; Procedure II (Condemnation) if a dwelling unit or structure is to be condemned as being unfit for human habitation or occupancy; or Procedure III (Demolition) if a structure is to be condemned as being unsafe.
4. If no violations are found, no notice is necessary to responsible person.

PROCEDURE I (REPAIRS)

1. Send to the owner, or responsible person, by certified mail: Form #1 or #1A (Nuisance Complaint or Notice of Code Violations) with attachments:
 - A. List of Defects;
 - B. Send Appeal Form (Form #6).
2. Thirty (30) days after notice should have been received, re-inspect the dwelling or structure. (*see below).
3. If repairs have been completed, make file notation of corrections.
4. If repairs have not been completed (at the discretion of the inspector):
 - A. Allow a definite extension of time for repairs to be completed (Form #2);
 - B. File criminal charges (an affidavit);
 - C. Take a civil action (seek an injunction).

NOTE: If the owner files an appeal (before Step #4), the procedure stops. At the conclusion of the appeal, the procedure resumes at the point it was stopped.

*Or however many days given to repair

PROCEDURE II – UNFIT (CONDEMNATION)

1. Send to the owner or responsible person, by certified mail: Form #3 and Form #3A with attachments:
 - A. List of Defects;
 - B. Send Appeal Form (Form #6).
2. Send one letter to the occupants of each affected unit, by certified mail: Form #4 with attachments:
 - A. List of Defects;
 - B. Copy of Form #2 that was sent to the owner;
 - C. Send Appeal Form (Form #6).

*If delivery by certified mail is accomplished, skip to Step #5.

3. If notice is undeliverable (letter comes back) in Step #1 or Step #2, Form #5 shall be posted on the premises and each letter in Step #1 sent by regular mail.
4. Photograph the premises with the Form #5 posted. Retain the photograph in the file.
5. Thirty (30) days** after the date of delivery of the certified letter, or the date the notice was posted, unless the dwelling or structure is repaired, secured, or the case is appealed, post the yellow condemned placard on the premises.

**Time period could be shorter or longer, depending on circumstances.

6. Ten (10) days after posting the yellow condemned placard, send Form #11 to the owner, by regular mail if the address of the owner is known.
7. Thirty (30) days after posting the yellow condemned placard, if the dwelling unit(s) or structure has not been vacated or properly secured, take one or more of the following courses:
 - A. File criminal charges (affidavit against the owner and/or the occupants);
 - B. Take civil action (seek injunctions);
 - C. After the dwelling is vacated, if not “properly secured,” cause it to be “properly secured” (private contractor);
 - D. Assess any costs incurred by the Village to the owner by billing or placing on the property taxes (County Auditor).

NOTE: If the owner or the occupant files an appeal (before Step #7, the procedure stops. At the conclusion of the appeal, the procedure resumes at the point it was stopped.

PROCEDURE III – UNSAFE (DEMOLITION)

1. Send to the owner or responsible person, by certified mail: Form #4 with attachments:
 - A. Send an appeal form (Form #6);
 - B. List of Defects.

2. Send to the occupants of all units, by certified mail: Form #4 with attachments:
 - A. List of Defects;
 - B. Send appeal form (Form #6);
 - C. Copy of Form #7 sent to owner.

3. Request a title search.

*If delivery by certified mail is accomplished, skip to Step #6.

4. If notice is undeliverable (letter comes back) in Step #1 or Step #2, post a copy of Form #5A on the premises.

5. Photograph the premises with the Form #5A posted. Retain a copy of the photograph in the file.

6. Twenty (20) days after the delivery date of, or the posting of Form #5A, send to the owner, by certified mail, Form #11.

*If not deliverable, post a copy of this Form #11 on the premises.

7. Thirty (30) days after the delivery date, or the posting of Form #5A, post the "Big Yellow" condemned sign on the premises and send to the owner, the occupant(s), and any recorded holder of encumbrance: Form #9 with attachment:
 - A. List of Defects.

*If delivery is accomplished, skip to Step #10.

8. If undeliverable, as detailed in Step #7, publish Form #8 in the Lancaster Eagle Gazette once each week for three (3) successive weeks and post a copy of the Form #9 on the premises.

9. Photograph the premises with Form #9 posted. Retain the three (3) published notices Form #8 and photographed Form #9 in the proper file.

10. Thirty (30) days after the delivery of Form #9, or thirty (30) days after the final publishing of Form #8, take one or more of the following courses of action:
 - A. File criminal charges (affidavits);
 - B. Take civil action (seek injunction);

C. After structure has been vacated, raze the structure and assess the costs to the owner by billing, or to the property taxes (County Auditor).

11. Send to the owner or responsible person, by regular mail: Form #10.

NOTE: If the owner, responsible person, recorded holder of encumbrance, or an occupant files an appeal (before Step #9), the procedure stops. At the conclusion of the appeal, the procedure resumes at the point it was stopped.

NOTICE OF CODE VIOLATIONS

DATE: _____, 20____.

NAME: _____

ADDRESS: _____

RE: _____ Parcel #: _____

(Violation Address)

You are hereby notified that pursuant to the inspection on the _____ day of _____, 20____, by the Village of Amanda Zoning Department, the property located at _____, Amanda, Ohio, is in a condition that constitutes a public nuisance.

The specific conditions that constitute a public nuisance are:

International Property Maintenance Code No: _____

Violation(s): _____

You are hereby ORDERED to remedy the above condition within the next _____ () days after this notice is received. At this point, the remedy for the condition in question is for the repair/replacement of the issues listed above. Your immediate attention to this matter is appreciated.

Please contact the Village of Amanda at (740) 969-4771 if you have any questions or concerns about this notice.

Sincerely,

Code Enforcement Officer

RIGHT OF APPEAL

Any person directly affected by any notice which has been issued in connection with the enforcement of the Village of Amanda Property Maintenance Code may request a hearing before the Board of Zoning Appeals. A written petition shall be filed requesting such hearing and setting forth a brief statement of the grounds therefore, within twenty (20) days after the decision, notice order was served.

NUISANCE COMPLAINT NOTIFICATION

DATE: _____, 20____.

NAME: _____

ADDRESS: _____

RE: _____ Parcel #: _____
(Violation Address)

As a result of a public complaint, an inspection has been made at _____, Amanda, Ohio, on _____, 20____. The property has been found to be in violation of at least one or more Codified Ordinances or International Property Maintenance Codes. Please review the nuisance(s) that were noticed during the inspection and take the necessary steps to comply with the ordinance(s).

- | | |
|---|--|
| <input type="checkbox"/> Sanitation of Exterior of Property (PM 302.1/302.10) | <input type="checkbox"/> Accumulation of Rubbish & Garbage (PM 305.1/302.10) |
| <input type="checkbox"/> Infestation of Rats (PM 306.1) | <input type="checkbox"/> Junk Automobile (PM 302.10) |
| <input type="checkbox"/> Interior Structure (PM 304.1) | <input type="checkbox"/> Infestations of Insects (PM 302.10/306.1) |
| <input type="checkbox"/> Weeds (PM 302.4/302.10) | <input type="checkbox"/> Other: _____ |

NOTES: _____

A _____ () day limit will be permitted from the date this notice is received for compliance, and a re-inspection will be made at a later date. If you feel that this time limit is not long enough, please contact the Village and an extension may be considered. Failure to comply with this order may result in legal proceedings.

Please contact the Village of Amanda at (740) 969-4771 if you have any questions or concerns about this notice.

Sincerely,

Code Enforcement Officer

RIGHT OF APPEAL

Any person directly affected by any notice which has been issued in connection with the enforcement of the Village of Amanda Property Maintenance Code may request a hearing before the Board of Zoning Appeals. A written petition shall be filed requesting such hearing and setting forth a brief statement of the grounds therefore, within twenty (20) days after the decision, notice order was served.

FORM #2

EXTENSION LETTER

DATE: _____, 20____.

NAME: _____

ADDRESS: _____

RE: _____

Dear _____:

On _____, 20____, a re-inspection of your referenced property was conducted. As of this date, work had been started and some of the repair items had been satisfactorily completed. However, the property is still not in compliance.

Due to work in progress, you are being granted a _____ () day extension from _____, 20____, for the completion of all remaining repair items. Failure to comply may result in legal action.

This letter is an extension of the original Notice and Order dated _____, 20____. The Village appreciates your cooperation thus far in making the necessary corrections and we urge you to complete the remaining repair items in a "workmanlike" and timely manner.

A list of violations is attached. Some violations may be marked corrected. You must repair, make safe and sanitary, and otherwise correct all remaining violations in the attached list within the new time limits on the list of violations. No further extensions shall be issued from this office.

Sincerely,

Code Enforcement Officer

FORM #3

CONDEMNATION ORDER

DATE: _____, 20____.

NAME: _____

ADDRESS: _____

RE: _____ Parcel #: _____
(Violation Address)

In the judgment of a Code Enforcement Officer with the Village of Amanda, the structure(s) located at _____, Amanda, Ohio is/are unsafe, unfit for human occupancy, or unlawful, and are hereby condemned.

The specific conditions that constitute the structure being condemned are:

- PM 108.1.1 Unsafe Structure:** The structure(s) are found to be dangerous to the life, health, property or safety of the public or the occupants of the structure. The structure(s) lack the minimum safeguards to protect or warn occupants in the event of fire, contains unsafe equipment, or is so damaged, decayed, dilapidated, structurally unsafe, or unstable foundation, that partial or complete collapse is likely.
- PM 108.1.2 Unsafe Equipment:** Equipment in a condition that is a hazard to life, health, property or safety of the public or occupants. Unsafe equipment includes: Any boiler, heating equipment, elevator, moving stairway, electrical wiring or device, flammable liquid containers or other equipment on the premises or within the structure.
- PM 108.1.3 Structure Unfit for Human Occupancy:** Structure(s) that is/are unsafe, unlawful or because of the degree to which the structure(s) is/are in disrepair or lacks maintenance, is/are unsanitary, vermin or rat infested, contains filth and contamination, or lacks sanitary or heating facilities.
- PM 108.2 Closing of Vacant Structures:** A structure(s) that is/are vacant and unfit for human habitation and occupancy, and is not in danger of structural collapse. The premises is ordered to be closed up so as not to be an attractive nuisance. Upon failure of the owner to close up the premises within the allowed specified time, the premises will be closed by the Village of Amanda at the cost of the premises owner. The cost of closing will be assessed as a lien on your property. See Form 3A for further details.

You are hereby ORDERED to remedy the above condition(s) within the next _____ () days after this notice is received. If you have any questions or concerns, please contact me at (740) 969-4771. Your immediate attention to this matter is appreciated. If you dispute this claim, you have a right to appeal.

Sincerely,

Code Enforcement Officer

RIGHT OF APPEAL

Any person directly affected by any notice which has been issued in connection with the enforcement of the Village of Amanda Property Maintenance Code may request a hearing before the Board of Zoning Appeals. A written petition shall be filed requesting such hearing and setting forth a brief statement of the grounds therefore, within twenty (20) days after the decision, notice order was served.

SECURING A CONDEMNED STRUCTURE

To properly secure and maintain a structure condemned as "Unfit for Human Habitation" in the interim time of proper repair, the following procedure shall be followed:

1. All openings shall be secured by placing one-half (1/2) inch grade plywood or equivalent materials over the opening, cut to fit the size and shape of the opening set inside the jamb, or the framing of the opening.
 - Said material shall be securely fastened in place.
 - One access door may be maintained provided an adequate locking device is installed
2. The exterior of any structure condemned as "Unfit for Human Habitation" shall be maintained in accordance with all applicable sections of the Ordinances of the Village of Amanda (i.e., trash and refuse removal, weeds and grass cut, wooden surfaces painted, structural members kept in sound condition, gutters and down spouting properly maintained, etc.).
3. Noncompliance with any requirement set forth in writing by the Code Enforcement Division, pertaining to securing or maintaining a structure condemned as "Unfit for Human Habitation" may result in said structure being re-evaluated and other action being taken pursuant to the provisions of the applicable Ordinances of the Village of Amanda, Ohio.

FORM #4

OCCUPANT

Date: _____, 20 _____

Dear: _____

Attached hereto is a Notice of Condemnation which has been sent to the owner of the structure in which you live. You are hereby notified that if repairs are not completed within the time allowed, you will be required to vacate the premises within thirty (30) days after the posting of the placard. You are further notified that you may request a hearing as explained in the attached documents.

Respectfully,

Village of Amanda, Code Enforcement Officer

Attachments: List of Defects
Form #2 or #3
Form #6 (Request for Appeal)

NOTICE OF CONDEMNATION

REFERENCED PROPERTY: _____

NAME OF OWNER(S): _____

The above-named owner(s) and any other person claiming an interest in the property identified above shall take notice that said property has been condemned by the Village of Amanda, Zoning Department, Code Enforcement as being unsafe, unlawful, or unfit for human habitation, occupancy, or use. Within thirty (30) days, you are required to repair, close, or raze and remove the subject structure. If you fail to do so, the Village may cause the structure to be closed or razed and may recover the cost thereof from you. This order may be appealed to the Board of Zoning Appeals by filing a "Request for Hearing" with the Zoning Department, Code Enforcement, 116 East Main Street, Amanda, Ohio 43102, within twenty (20) days of the date of this publication. Copies of the specific defects, appeal rights, an explanation of the restriction to transfer of ownership, and permits to proceed may be obtained at the office of the Code Enforcement Officer.

Code Enforcement Officer

NOTICE OF INTENT TO DEMOLISH

REFERENCED PROPERTY: _____

All persons having or claim to have an interest in the property identified above are hereby notified that the structure thereon is so old, dilapidated or out of repair that it is dangerous, unsafe, unsanitary, or otherwise unfit for human habitation, occupancy, or use and that it would be unreasonable to repair the structure. The structure must be repaired or razed and removed within thirty (30) days of the last date of publication of this notice or the Village of Amada will arrange to have the structure razed and removed. Additional information regarding repairs and transfer of ownership may be obtained at the office of the Zoning Department, Code Enforcement, 116 East Main Street, Amada, Ohio 43102.

Code Enforcement Officer

APPEAL FORM

(The Following Request for Hearing Form is Provided for your Convenience)

REQUEST FOR HEARING

REFERENCED PROPERTY: _____

Date of notice, order, or action being appealed: _____, 20 _____

The undersigned hereby requests a hearing before the Board of Zoning Appeals to review the notice, order, or action of the Code Enforcement Officer in reference to the above property. I believe the action taken to be incorrect for the following reasons:

I am the _____ of said property.
(Owner, Occupant, Lien Holder, etc.)

X _____
(Signature)

(Printed Name)

(Street Address)

(City/State/Zip Code)

(Telephone Number)

DEMOLITION ORDER

DATE: _____, 20____.

NAME: _____

ADDRESS: _____

RE: _____ Parcel #: _____
(Violation Address)

In the judgment of a Code Enforcement Officer with the Village of Amanda Zoning Department, the structure(s) located at _____, Amanda, Ohio, is/are so old, dilapidated or has/have become so out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human habitation or occupancy and that the cost of repairing such structure(s) would be unreasonable.

Because of the finding by the Code Official, your structure(s) located at _____, Amanda, Ohio, will be demolished (PM Code 110.1). Two options are available to you. One is to demolish the listed structure(s) on your own. A demolition permit must be obtained from the Village of Amanda's office and the debris must be disposed of lawfully. Two, by ignoring this order the Village of Amanda will initiate steps to demolish the listed structure(s). The cost of demolition will be assessed as a lien on your property.

If the property is not demolished and the debris lawfully removed from the property within thirty (30) days from your receipt of this order or as soon as the Village receives a postal return indicating that the order was not delivered, criminal charges may be filed and the Village will immediately begin the demolition process.

If you dispute this claim, you have the right to appeal:

Sincerely,

Code Enforcement Officer

RIGHT OF APPEAL

Any person directly affected by any notice which has been issued in connection with the enforcement of the Village of Amanda Property Maintenance Code may request a hearing before the Board of Zoning Appeals. A written petition shall be filed requesting such hearing and setting forth a brief statement of the grounds therefore, within twenty (20) days after the decision, notice order was served.

NOTICE OF INTENT TO DEMOLISH

(Mortgage of Lien Holders)

REFERENCED PROPERTY: _____

All persons having, or claiming to have an interest in the property identified above are hereby notified that the structure thereon is so old, dilapidated, or out of repair that it is dangerous, unsafe, unsanitary, or otherwise unfit for human habitation, occupancy, or use and that it would be unreasonable to repair the structure. The structure must be repaired or razed and removed within thirty (30) days of receiving this notice or the Village will arrange to have the structure razed and removed. Additional information regarding repairs and transfer of ownership may be obtained at the Zoning Department, Office of Code Enforcement, 116 East Main Street, Amanda, Ohio 43102.

Code Enforcement Officer

Enclosure: Copy of Form #8

FORM #9

DATE: _____, 20____.

NAME: _____

ADDRESS: _____

RE: _____ Parcel #: _____
(Violation Address)

Dear _____:

Our records show that you are the owner/occupant/record holder of an encumbrance of the above property.

A recent re-inspection of the above-referenced property reveals that you have failed to repair or to raze and remove the subject structure. You have also failed to request a hearing with the Board of Zoning Appeals or have otherwise exhausted your appeal rights.

You are hereby notified that the above structure is so old, dilapidated, or out of repair that it is dangerous, unsafe, unsanitary, or otherwise unfit for human habitation, occupancy, or use and that it would be unreasonable to repair the structure. You are therefore ORDERED to either repair the defects in the structure as contained in the attached list or to raze and remove the structure within thirty (30) days.

If you wish to contest this order, it is suggested that you seek legal counsel.

Before commencing any repairs or demolition, you must obtain the applicable permits from the Village of Amanda.

Code Enforcement Officer

REPORT OF COST OF DEMOLITION

REFERENCED PROPERTY: _____

The structure at the above address has been razed and removed pursuant to the notices previously served upon you. The cost of such demolition is set forth below:

Demolition Costs\$ _____
Amount recovered from sale of salvage.....\$ _____
Net amount due owner(s), if any.....\$ _____
Net amount due Village, if any\$ _____

If the above shows a net amount due to the owner(s), please contact the Code Enforcement Officer to obtain payment. If the above shows a net amount due to the Village, please contact the Code Enforcement Officer to arrange for payment. If you fail to pay the amount due, said amount shall be certified to the County Auditor to be placed upon the tax duplicate.

FORM #11

DATE: _____, 20____.

NAME: _____

ADDRESS: _____

RE: _____ Parcel #: _____

(Violation Address)

The Code Enforcement Officer has advised this office that you have failed to obey the Village's order to demolish or repair the above-captioned property. Please be advised that if you fail to commence demolition or repair of the above-captioned property within the next ten (10) days, this office will proceed with prosecution.

If you have any questions, please feel free to contact the Village of Amanda Zoning Department, Code Enforcement Office, at (740) 969-4771.

Respectfully,

Tom Corbin
Village Solicitor

Ordinance # 2010
01-

ANNUAL APPROPRIATION ORDINANCE
VILLAGE OF AMANDA

THE COUNCIL OF THE VILLAGE OF AMANDA, FAIRFIELD COUNTY, OHIO,
MET IN REGULAR SESSION ON THE 1 DAY OF Feb
2010, AT THE OFFICE OF THE VILLAGE OF AMANDA WITH THE
FOLLOWING MEMBERS PRESENT:

<u>Wayne Paul</u>	<u>Jim White</u>
<u>Sarah Sykes</u>	<u>Garry Renner</u>
<u>Mary Reinhardt</u>	<u>Claude Ford</u>
<u>Wayne Paul</u>	

MOVED THE ADOPTION OF THE FOLLOWING ORDINANCE:

BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF AMANDA,
FAIRFIELD COUNTY, OHIO, THAT TO PROVIDE FOR THE CURRENT
EXPENSES AND OTHER EXPENDITURES OF SAID VILLAGE, DURING THE
FISCAL YEAR, ENDING DECEMBER 31, 2010, THE FOLLOWING SUMS
BE AND THE SAME ARE HEREBY SET ASIDE AND APPROPRIATED FOR THE
SEVERAL PURPOSES FOR WHICH EXPENDITURES ARE TO BE MADE FOR
AND DURING SAID FISCAL YEAR, AS FOLLOWS, VIZ:

GENERAL FUND

THAT THEY BE APPROPRIATED FROM THE GENERAL FUND:

1000-120-349-0000	PROFESSIONAL & TECHNICAL SERVICES	\$ <u>4,600</u>
1000-130-311-0000	ELECTRICITY	\$ <u>6,000</u>
1000-150-311-0000	ELECTRICITY	\$ <u>2,000</u>
1000-320-399-0000	CONTRACTUAL SERVICES	\$ <u>5,000</u>
1000-410-399-0000	CONTRACTUAL SERVICES	\$ _____
1000-559-399-0000	CONTRACTUAL SERVICES	\$ _____
1000-563-398-0000	GARBAGE & TRASH REMOVAL	\$ <u>54,000</u>
1000-599-397-0000	UTILITY- SYSTEMS	\$ _____
1000-620-349-0000	PROFESSIONAL & TECHNICAL SERVICES	\$ <u>3,000</u>
1000-620-399-0000	CONTRACTUAL SERVICES	\$ _____
1000-650-399-0000	CONTRACTUAL SERVICES	\$ _____
1000-710-161-0000	SALARY MAYOR	\$ <u>1,000</u>
1000-710-211-0000	OPERS	\$ <u>500</u>
1000-710-231-0000	MEDICARE	\$ <u>100</u>

1000-710-225-0000	WORKER COMPENSATION	\$ 200
1000-710-352-0000	PROPERTY INSURANCE PREMIUMS	\$ 1859
1000-715-111-0000	SALARIES	\$ 7,000
1000-715-211-0000	OPERS	\$ 1,000
1000-715-212-0000	SOCIAL SECURITY	\$ 100
1000-715-213-0000	MEDICARE	\$ 100
1000-715-225-0000	WORKERS COMPENSATION	\$
1000-715-325-0000	ADVERTISING	\$ 250
1000-725-121-0000	SALARY CLERK/ TREASURER	\$ 10,000
1000-725-211-0000	OPERS	\$ 3,000
1000-725-213-0000	MEDICARE	\$ 300
1000-725-221-0000	MEDICAL / HOSPITALIZATION	\$
1000-725-225-0000	WORKERS COMPENSATION	\$ 150
1000-725-252-0000	TRAVEL & TRANSPORTATION	\$
1000-725-322-0000	POSTAGE	\$ 500
1000-725-348-0000	TRAINING SERVICES	\$
1000-730-410-0000	OFFICE SUPPLIES & MATERIAL	\$ 3,000
1000-730-311-0000	ELECTRICITY	\$ 3,234.22
1000-730-313-0000	NATURAL GAS	\$ 5,000
1000-730-321-0000	TELEPHONE	\$ 3,000
1000-730-349-0000	PROFESSIONAL & TECHNICAL SERVICES	\$ 1,000
1000-730-399-0000	CONTRACTUAL SERVICES	\$ 3,000
1000-740-344-0000	PROPERTY TAX COLLECTION FEES	\$ 3,000
1000-745-343-0000	UNIFORM ACCOUNTING FEES	\$ 2,500
1000-745-391-0000	DUES & FEES	\$ 3,000
1000-790-640-0000	PAYMENT TO ANOTHER POLITICAL SUB	\$ 4,000
1000-790-690-0000	OTHER	\$ 6,335.59
1000-990-990-0000	OTHER FINANCING USES	\$
?	SALARY SOLISITOR	\$ 8,000

TOTAL GENERAL FUND \$ 145,728.81

STREETS CONSTRUCTION & MAINTENANCE FUND

THAT THERE BE APPROPRIATED FROM THE STREET FUND:

2011-610-349-0000	PROFESSIONAL & TECHNICAL SERVICES	\$ 0
2011-620-112-0000	SALARIES - COUNCIL	\$ 1,100
2011-620-190-0000	PERSONAL SERVICES	\$ 35,013.88
2011-620-211-0000	OPERS	\$ 5,000
2011-620-212-0000	SOCIAL SECURITY	\$ 150
2011-620-213-0000	MEDICARE	\$ 400
2011-620-221-0000	MEDICAL/HOSPITALIZATION	\$
2001-620-391-0000	DUES & FEES	\$
2011-620-399-0000	CONTRACTUAL SERVICES	\$ 5,000
2011-620-420-0000	SUPPLIES & MATERIAL	\$ 15,979.15
2011-620-431-0000	REPAIR & MAINTENANCE OF BUILD/LAND	\$ 4,529.53
2011-740-344-0000	PROPERTY TAX COLLECTION FEE	\$ 500
2011-990-990-0000	OTHER FINANCING USES	\$
TOTAL OF STREET FUND		\$ 67,672.56

STREET LEVEY

2012-620-340-0000	PROFF SERVICES	\$ 71,766.35
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TOTAL STREET LEVEY \$ 71,766.35

PARKS

\$ 0.00

FEDERAL GRANTS

\$ 10,141.74

WATER OPERATING FUND

THAT THERE BE APPROPRIATED FROM THE WATER FUND:

501-529-313-0000	GAS	\$ 6,000
5101-533-119-0000	SALARIES - COUNCIL	\$ 8,000
5101-533-121-0000	SALARIES - CLERK	\$ 15,000
5101-533-150-0000	COMPENSATION OF BOARD MEMBERS	\$

5101-533-190-0000	PERSONAL SERVICES	\$ 20,000
5101-533-211-0000	OPERS	\$ 1,000
5101-533-212-0000	SOCIAL SECURITY	\$ 200
5101-533-213-0000	MEDICARE	\$ 350
5101-533-225-0000	WORKERS COMP	\$ 500
5101-533-252-0000	TRAVEL & TRANSPORTATION	\$
5101-533-311-0000	ELECTRIC	\$ 15,000
5101-533-321-0000	TELEPHONE	\$ 8,000
5100-533-324-0000	PRINTING & REPRODUCTION	\$ 3,494.75
5101-533-352-0000	PROPERTY INSURANCE	\$ 7,000
5101-533-390-0000	CONTRACTUAL SERVICES	\$ 40,000
5101-533-410-0000	OFFICE SUPPLIES	\$ 5,000
5101-533-420-0000	OPERATING SUPPLIES & MATERIAL	\$ 28083.93
5101-533-690-0000	OTHER + DEBT SERVICES	\$ 100,000
5101-539-121-0000	SALARIES CLERK	\$
5101-539-150-0000	COMPENSATION OF BOARD	\$
5101-539-190-0000	PERSONAL SERVICE	\$ 200
5101-539-211-0000	OPERS	\$ 2,000
5101-539-212-0000	SOCIAL SECURITY	\$ 200
5101-539-213-0000	MEDICARE	\$ 300
TOTAL OF WATER FUND		\$ 260,328.68

SEWER FUND

THAT THERE BE APPROPRIATED FROM THE SEWER FUND:

5201-542-212-0000	SOCIAL SECURITY	\$
5201-542-213-0000	MEDICARE	\$
5201-543-410-0000	OFFICE SUPPLIES & MATERIAL	\$
5201-549-121-0000	SALARIES CLERK	\$
5201-549-150-0000	COMPENSATION OF BOARD MEMBERS	\$
5201-549-190-0000	PERSONAL SERVICES	\$ 16161.41
5201-549-211-0000	OPERS	\$ 1,000
5201-549-212-0000	SOCIAL SECURITY	\$
5201-549-213-0000	MEDICARE	\$ 100

5201-549-225-0000	WORKERS COMP	\$	200
5201-549-252-0000	TRAVEL & TRANSPORTATION	\$	200
5201-549-311-0000	ELECTRICITY	\$	5,000
5201-549-324-0000	PRINTING & REPRODUCTION	\$	1,000
5201-549-352-0000	PROPERTY INSURANCE	\$	3,000
5201-549-399-0000	CONTRACTUAL SERVICES	\$	23,497.78
5201-549-420-0000	OPERATING SUPPLIES & MATERIAL	\$	20,000
5201-549-431-0000	REPAIR & MAINTENANCE OF BUILDING /LAND	\$	7,674.06
5201-549-690-0000	OTHER	\$	1,078.32
TOTAL OF SEWER FUND		\$	78,911.57

SEWER DEBT

5203-850-710-0000	PRINCIPAL	\$	15,000
5203-850-720-0000	INTEREST	\$	41,000
TOTAL SEWER DEBT		\$	56,000

SEWER RESERVE FUND
54,300

SUMMARY OF ALL FUNDS

GENERAL FUND
\$ 145,728.81

STREET FUND
\$ 67,672.56

STREET LEVEY
\$ 71,766.35

PARK
\$ 0

Federal Grants
10,141.74

\$

WATER FUND
\$ 260,328.68

SEWER FUND
\$ 78,911.57

SEWER DEBT
\$ 56,000.00

SEWER RESEVE FUND
\$ 54,300

GRAND TOTALS OF ALL FUND \$ 690,549.71

We received a grant from ODNR for a foodbooth/storage/restroom facility. The project cost is 56,000 dollars. We received 41,786 from ODNR, 550 From Donations. We are using the remaining reserve left on the loan on the water project in the amount of 9,096.27. which leaves the total of 4,567.73 The remainig amount of 4567.73 is coming out of the 2051 account(federal Grant) which can be used for the handicap accesiblity restrooms

Jim White SECONDED THE ORDINANCE AND THE ROLL CALL BEING CALL UPON ITS ADOPTION THE VOTE RESULTED AS FOLLOWS:

Wayne J

Mary Reinhart

Jim White

Clinton Ford

Samy Lemie

ADOPTED 2-1-2010
DATE

CAS
CLERK, VILLAGE OF AMANDA

THE STATE OF OHIO, FAIRFIELD COUNTY, SS:

I, Carrie, CLERK OF THE VILLAGE OF AMANDA, FAIRFIELD COUNTY, OHIO, AND IN WHOSE CUSTODY THE FILES, JOURNALS, AND RECORDS OF SAID BOARD ARE REQUIRED BY THE LAWS THE STATE OF OHIO ARE TO BE KEPT, DO HEREBY CERTIFY THAT THE FOREGOING ANNUAL APPROPRIATION ORDINANCE IS TAKEN AND COPIED FROM THE ORIGINAL ORDINANCE NOW ON FILE WITH SAID VILLAGE, THAT THE FOREGOING ORDINANCE HAS BEEN COMPARED BY ME WITH THE ORIGINAL AND THAT THE SAME IS A TRUE AND CORRECT COPY THEREOF.

WITNESS MY SIGNATURE, THIS 1 DAY OF Feb
2010

CAS
CLERK, CARRIE AYERS

ANNUAL APPROPRIATION ORDINANCE

VILLAGE OF AMANDA

FAIRFIELD COUNTY, OHIO

PASSED _____

FOR THE FISCAL YEAR ENDING

DECEMBER 31, _____

=====

FILED _____

COUNTY AUDITOR

BY _____
DEPUTY

ORDINANCE NO. 62-2010

AN ORDINANCE APPROVING, ADOPTING AND ENACTING AMERICAN LEGAL PUBLISHING'S OHIO BASIC CODE, 2010 EDITION, AS THE CODE OF ORDINANCES FOR THE MUNICIPALITY OF Village Amador, OHIO, AND DECLARING AN EMERGENCY.

WHEREAS, the present general and permanent ordinances of the municipality are inadequately arranged and classified and are insufficient in form and substance for the complete preservation of the public peace, health, safety and general welfare of the municipality and for the proper conduct of its affairs.

WHEREAS, American Legal Publishing Corporation publishes a Code of Ordinances suitable for adoption by municipalities in Ohio.

WHEREAS, it is necessary to provide for the usual daily operation of the municipality and for the immediate preservation of the public peace, health, safety and general welfare of the municipality that this ordinance take effect at an early date.

NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE AUTHORITY OF THE MUNICIPALITY OF Village of Amador, OHIO:

Section 1. American Legal Publishing's Ohio Basic Code, 2010 Edition, as reviewed and approved by the Legislative Authority, is hereby adopted and enacted. Any prior version of the Ohio Basic Code which may have been previously adopted by the municipality is hereby repealed as obsolete and is hereby replaced in its entirety by this Ohio Basic Code, 2010 Edition.

Section 2. One copy of American Legal Publishing's Ohio Basic Code, 2010 Edition, certified as correct by the Mayor and Clerk of the Legislative Authority, as required by Ohio Revised Code § 731.23, shall be kept in its initial form on file in the office of the Clerk of the municipality and retained as a permanent ordinance record of the municipality. The Clerk of the municipality is authorized and directed to publish a summary of all new matters contained in the Code of Ordinances as required by Ohio Revised Code § 731.23. Such summary is attached hereto and marked as "Exhibit A".

Section 3. All ordinances and resolutions or parts thereof which are in conflict or inconsistent with any provision of the Ohio Basic Code, 2010 Edition, as adopted in Section 1 hereof, are hereby repealed as of the effective date of this ordinance, except as follows:

(A) The enactment of the Ohio Basic Code, 2010 Edition, shall not be construed to affect a right or liability accrued or incurred under any legislative provision prior to the effective date of such enactment, or an action or proceeding for the enforcement of such right or liability. Such enactment shall not be construed to relieve any person from punishment for an act committed in violation of any such legislative provision, nor to affect an indictment or prosecution therefor. For such purposes, any such legislative provision shall continue in full force notwithstanding its repeal for the purpose of revision and codification.

(B) The repeal provided above shall not affect:

- (1) The grant or creation of a franchise, license, right, easement or privilege;
- (2) The purchase, sale, lease or transfer of property;
- (3) The appropriation or expenditure of money or promise or guarantee of payment;
- (4) The assumption of any contract or obligation;
- (5) The issuance and delivery of any bonds, obligations or other instruments of indebtedness;
- (6) The levy or imposition of taxes, assessments or charges;
- (7) The establishment, naming, vacating or grade level of any street or public way;
- (8) The dedication of property or plat approval;
- (9) The annexation or detachment of territory;
- (10) Any legislation enacted subsequent to the adoption of this ordinance.
- (11) Any legislation specifically superseding the provision of the Ohio Basic Code.

Section 4. Whenever reference is made in any documents, publications, or signs of the municipality, including but not limited to traffic tickets and traffic-control signs, to a section as it existed in a former edition of the Ohio Basic Code, the reference shall extend and apply to the section referred to as subsequently amended, revised, recodified, or renumbered.


Section 5. This ordinance is declared to be an emergency measure necessary for the immediate preservation of the peace, health, safety and general welfare of the people of this municipality, and shall take effect at the earliest date provided by law.

Date
Passed: 2-1-10

Attest:



Mayor



Clerk of the Legislative Authority

Exhibit A

OHIO BASIC CODE, 2010 EDITION — SUMMARY OF CONTENTS

Notice is hereby given that on the 1 day of Feb, 2010, there was enacted by the Legislative Authority of the Municipality of Village of Anson, Ohio, an ordinance entitled "An Ordinance Approving, Adopting and Enacting American Legal Publishing's Ohio Basic Code, 2010 Edition, as the Code of Ordinances for the Municipality of Village of Anson, Ohio."

A summary of the subjects, including all new matters contained in the Code of Ordinances, as adopted, are as follows. The majority of Basic Code provisions are based directly on state law.

TITLE I: GENERAL PROVISIONS

Chapter 10: General Provisions

Section	
10.01	Short titles
10.02	Definitions
10.03	Rules of construction
10.04	Revivor; effect of amendment or repeal
10.05	Construction of section references
10.06	Conflicting provisions
10.07	Severability
10.08	Reference to offices
10.09	Errors and omissions
10.10	Ordinances repealed
10.11	Ordinances unaffected
10.12	Ordinances saved
10.13	Application to future ordinances
10.14	Interpretation
10.15	Amendments to code; amendatory language
10.16	Statutory references
10.17	Preservation of penalties, offenses, rights and liabilities
10.18	Determination of legislative intent
10.99	General penalty

TITLE III: ADMINISTRATION

Chapter 30: General Provisions

Section	
30.01	Application of Title III
30.02	Qualifications; oaths
30.03	Bonds of officers and employees; amount
30.04	Additional bond; where bonds recorded and kept
30.05	Approval of bonds
30.06	Sufficiency of form of bond
30.07	Filling vacancies in offices
30.08	Public records available
30.09	Records Commission
30.10	Meetings of public bodies to be open; exceptions; notice
30.11	Municipal officers may attend conference or convention; expenses
30.12	Residency requirements prohibited; exceptions

Chapter 31: Executive Authority

Section	
	<i>General Provisions</i>
31.001	Executive power; where vested

Mayor

- 31.015 Term of Mayor; power and duties
- 31.016 General duties of the Mayor
- 31.017 Communications to the Legislative Authority
- 31.018 Protest against excess of expenditures
- 31.019 Supervision of conduct of officers
- 31.020 Annual report to the Legislative Authority
- 31.021 Mayor to file charges against delinquent officers
- 31.022 Vacancies in office of Mayor
- 31.023 Disposition of fines and other moneys

Clerk

- 31.040 Election, term, qualifications of the Clerk
- 31.041 Powers and duties of Clerk
- 31.042 Books and accounts; merger of offices
- 31.043 Seal of Clerk
- 31.044 Combined offices of Clerk and Treasurer; Fiscal Officer

Treasurer

- 31.060 Election, term, qualifications of the Treasurer
- 31.061 Accounts of Treasurer
- 31.062 Powers and duties
- 31.063 Quarterly account; annual report
- 31.064 Receipt and disbursement of funds
- 31.065 Duty of delivering money and property

Street Commissioner

- 31.080 Qualifications
- 31.081 General duties
- 31.082 Assistants

Other Officials

- 31.100 Legal counsel
- 31.101 Administrator
- 31.102 Board of Trustees of Public Affairs
- 31.103 Fire Engineer, Engineer and Superintendent of Markets

Chapter 32: Legislative Authority

Section

General Provisions

- 32.001 Members of the Legislative Authority; election; terms of office
- 32.002 President Pro Tempore; employees
- 32.003 Vacancy when President Pro Tempore becomes Mayor
- 32.004 Qualifications of members of the Legislative Authority
- 32.005 Compensation and bonds of municipal officers and employees
- 32.006 Vacancy
- 32.007 Judge of election and qualification of members; quorum and special meetings
- 32.008 Rules; journal; expulsion of members
- 32.009 Meetings
- 32.010 General powers
- 32.011 Failure to take oath or give bond
- 32.012 Notice when new bond required
- 32.013 Care, supervision and management of public institutions

Contracts, Bids and Proceedings

- 32.025 Contracts by the Legislative Authority or Administrator
- 32.026 Bids and proceedings
- 32.027 Alterations or modifications of contract
- 32.028 Contract restrictions
- 32.029 Award to lowest responsive and responsible bidder

Ordinances and Resolutions

- 32.040 Ordinances and resolutions as evidence
- 32.041 Passage procedure
- 32.042 Style of ordinances
- 32.043 Subject and amendment of ordinances and resolutions
- 32.044 Authentication and recording of ordinances and resolutions
- 32.045 Publication of ordinances and resolutions; proof of publication and circulation
- 32.046 Notice for proposed amendments to the municipal Charter
- 32.047 Times of publication required
- 32.048 Publication and certification of ordinances in book form
- 32.049 Adoption of technical ordinances and codes
- 32.050 Certificate of Clerk as to publication
- 32.051 Publication when no newspaper published in municipality
- 32.052 Effect of not making publication
- 32.053 Ordinances providing for appropriations or street improvements; emergency ordinances

Initiative and Referendum

- 32.070 Initiative petitions
- 32.071 Referendum petitions
- 32.072 More than one ordinance required; application of subchapter
- 32.073 Presentation of petitions
- 32.074 Copy of proposed ordinance or measure to be filed with Clerk
- 32.075 Words to be printed in red
- 32.076 Designation of committee filing petition; public inspection of petitions; ordinances passed or repealed prior to election
- 32.077 Itemized statement by petition circulator
- 32.078 Prohibited practices relative to petitions
- 32.079 Accepting premiums for signing
- 32.080 Threats in securing signatures
- 32.081 Application of subchapter if Charter adopted

Chapter 33: Judicial Authority

Section

General Provisions

- 33.01 Jurisdiction in ordinance cases and traffic violations
- 33.02 Powers of Mayor and Mayor's Court Magistrate in criminal matters
- 33.03 Duties of Mayor and Mayor's Court Magistrate; fees; office; seal
- 33.04 Mayor's Court Magistrate
- 33.05 Powers to suspend driver's license in OVI cases

Contempt of Court

- 33.20 Summary punishment for contempt
- 33.21 Acts in contempt of court
- 33.22 Hearing
- 33.23 Contempt action for failure to pay support, failure to comply or interference with a visitation order; summons
- 33.24 Right of accused to bail
- 33.25 Hearing on contempt; penalties; support orders; failure to withhold or deduct money pursuant to support order
- 33.26 Imprisonment until order obeyed
- 33.27 Proceedings when party released on bail fails to appear

- 33.28 Release of prisoner committed for contempt
- 33.29 Judgment final
- 33.30 Alternative remedy

Chapter 34: Police Department

Section

- 34.01 Marshal and Police Chief synonymous
- 34.02 Appointment of Marshal
- 34.03 Deputy marshals and police officers
- 34.04 Auxiliary police units
- 34.05 Offenses affecting employment of law enforcement officers; probationary period; final appointment
- 34.06 Removal proceedings; suspension; appeals
- 34.07 General powers
- 34.08 Powers and duties of Marshal
- 34.09 Disposition of fines and penalties
- 34.10 Property recovered by police
- 34.11 Disposition to claimant
- 34.12 Sale of unclaimed property; disposition of proceeds
- 34.13 Expenses of storage and sale; notice
- 34.14 Contracts for police protection; nonresident service without contract
- 34.15 Peace officer administering oaths; acknowledging complaints, summonses, affidavits and returns of court orders

Chapter 35: Fire Department

Section

General Provisions

- 35.01 Municipal fire regulations; fire department
- 35.02 Fire Chief; Fire Prevention Officer; employment of firefighters; criminal records check for firefighters
- 35.03 Schooling of officers and firefighters of fire department
- 35.04 Legislative Authority may purchase engines and equipment
- 35.05 Buildings for department
- 35.06 Records
- 35.07 Maximum consecutive hours for firefighters on duty
- 35.08 Investigation of cause of fire
- 35.09 Right to examine buildings, premises, and vehicles
- 35.10 Burning buildings for firefighting instruction or research
- 35.11 Impersonating fire safety inspector
- 35.12 Standards for equipment
- 35.13 Persons entitled to be known as firefighters
- 35.14 Firefighting and emergency services agreements
- 35.15 Regulation of construction in fire limits

Volunteer Firefighters' Dependents Fund Board

- 35.30 Definitions
- 35.31 Establishment
- 35.32 Membership; vacancies
- 35.33 Election and term of members
- 35.34 Organization; rules and regulations; roster
- 35.35 Compensation and expenses of Board; legal advisor

Chapter 36: Civil Actions Against the Municipality

Section

- 36.01 Definitions
- 36.02 Nonliability of municipality; exceptions
- 36.03 Defenses and immunities
- 36.04 Limitation of actions
- 36.05 Damages
- 36.06 Satisfaction of judgments
- 36.07 Provision of employees' defense; consent judgments
- 36.08 Liability insurance
- 36.09 Certain actions unaffected
- 36.10 Certain charges against municipal officers filed with Probate Judge; proceedings

TITLE V: PUBLIC WORKS

[Reserved]

TITLE VII: TRAFFIC CODE

Chapter 70: General Provisions

Section

General Provisions

- 70.01 Definitions
- 70.02 Compliance with order of police officer
- 70.03 Emergency vehicles to proceed cautiously past red or stop signal
- 70.04 Exceptions generally; emergency, public safety and coroner vehicles exempt
- 70.05 Persons riding or driving animals upon roadways
- 70.06 Prohibitions against pedestrians and slow-moving vehicles on freeways
- 70.07 Use of private property for vehicular travel
- 70.08 Names of persons damaging real property by operation of vehicle to be provided to owner
- 70.09 Limited access highways; barriers along; vehicles to enter and leave at designated intersections
- 70.10 Through highways
- 70.11 Officer may remove ignition key
- 70.12 Removal of vehicles after accidents

Traffic-Control Devices

- 70.30 Obeying traffic-control devices
- 70.31 Signal lights
- 70.32 Signals over reversible lanes
- 70.33 Ambiguous or non-working traffic signals
- 70.34 Pedestrian-control signals
- 70.35 Flashing traffic signals
- 70.36 Unauthorized signs and signals prohibited
- 70.37 Alteration, defacement, or removal prohibited
- 70.38 Unauthorized possession or sale of devices
- 70.39 Signal preemption devices; prohibitions
- 70.40 Traffic law photo-monitoring devices

- 70.99 Penalty

Chapter 71: Licensing Provisions

Section

Motor Vehicle Licensing

- 71.01 Display of license plates or validation stickers; registration
- 71.02 Improper use of noncommercial motor vehicle
- 71.03 Operating motor vehicle ordered immobilized; forfeiture
- 71.04 Operation or sale without certificate of title
- 71.05 Display of certificate of registration
- 71.06 Use of unauthorized plates
- 71.07 Operating without dealer or manufacturer license plates

Driver's Licenses

- 71.20 Prohibited acts
- 71.21 Permitting minor to operate vehicle prohibited; temporary instruction permit; probationary license
- 71.22 License required as driver or commercial driver on public or private property; nonresident exemption
- 71.23 Employment of a minor to operate a taxicab prohibited
- 71.24 Restriction against owner lending vehicle for use of another
- 71.25 Suspension of driver's licenses; license suspended by court of record
- 71.26 Display of license
- 71.27 Prohibition against false statements
- 71.28 Driving under suspension or in violation of license restriction

- 71.29 Operating motor vehicle without valid license
- 71.30 Driving under OVI suspension
- 71.31 Driving under financial responsibility law suspension or cancellation
- 71.32 Failure to reinstate license

Commercial Driver's Licenses

- 71.45 Definitions
- 71.46 Use of actual gross weight in lieu of rating
- 71.47 Prohibited acts
- 71.48 Prerequisites to operation of commercial motor vehicle
- 71.49 Physical qualification to operate commercial motor vehicles
- 71.50 Criminal offenses
- 71.51 Application of federal regulations
- 71.52 Employment of drivers of commercial vehicles

- 71.99 Penalty

Chapter 72: Traffic Rules

Section

General Provisions

- 72.001 Lanes of travel upon roadways
- 72.002 Driving through safety zone
- 72.003 Vehicles traveling in opposite directions
- 72.004 Rules governing overtaking and passing of vehicles
- 72.005 Permission to overtake and pass on the right
- 72.006 Driving to left of center line
- 72.007 Prohibition against driving upon left side of roadway
- 72.008 Hazardous zones
- 72.009 One-way highways and rotary traffic islands
- 72.010 Rules for driving in marked lanes
- 72.011 Space between moving vehicles
- 72.012 Divided roadways
- 72.013 Rules for turns at intersections
- 72.014 U-turns and turning in roadway prohibited
- 72.015 Starting and backing vehicles
- 72.016 Turn and stop signals
- 72.017 Hand and arm signals

Right-of-Way

- 72.030 Right-of-way at intersections
- 72.031 Right-of-way when turning left
- 72.032 Right-of-way at through highways; stop signs; yield signs
- 72.033 Stop at sidewalk area; stop signs on private roads and driveways
- 72.034 Right-of-way on public highway
- 72.035 Pedestrian on sidewalk has right-of-way
- 72.036 Right-of-way of public safety vehicles
- 72.037 Funeral procession has right-of-way
- 72.038 Pedestrians yield right-of-way to public safety vehicle
- 72.039 Pedestrian on crosswalk has right-of-way
- 72.040 Right-of-way yielded to blind person
- 72.041 Right-of-way yielded by pedestrian

Pedestrians

- 72.055 Pedestrian movement in crosswalks
- 72.056 Pedestrian walking along highway
- 72.057 Prohibition against soliciting rides; riding on outside of vehicle
- 72.058 Pedestrian on bridge or railroad crossing
- 72.059 Persons operating motorized wheelchairs
- 72.060 Intoxicated or drugged pedestrian hazard on highway
- 72.061 Operation of electric personal assistive mobility devices

Grade Crossings

- 72.075 Stop signs at grade crossings
- 72.076 Driving vehicle across railroad grade crossing
- 72.077 Vehicles required to stop at grade crossings
- 72.078 Slow-moving vehicles or equipment crossing railroad tracks

School Buses

- 72.090 Regulations concerning school buses
- 72.091 Violation of regulations; report; investigation; citation; warning
- 72.092 Restrictions on the operation of school buses
- 72.093 School bus inspection
- 72.094 School bus not used for school purposes
- 72.095 Licensing by Department of Public Safety
- 72.096 Registration and identification of school buses
- 72.097 School bus marking
- 72.098 Flashing light signal lamps
- 72.099 Occupant restraining device for operator

Prohibitions

- 72.115 Obstruction and interference affecting view and control of driver
- 72.116 Occupying travel trailer while in motion
- 72.117 Driving upon closed highway prohibited
- 72.118 Driving upon sidewalk area or paths exclusively for bicycles
- 72.119 Obstructing passage of other vehicles
- 72.120 Following an emergency or public vehicle prohibited; approaching stationary public safety vehicle with caution
- 72.121 Driving over unprotected fire hose
- 72.122 Placing injurious material on highway or depositing litter from motor vehicle
- 72.123 Transporting child not in child-restraint system prohibited
- 72.124 Occupant restraining devices
- 72.125 Use of engine brakes prohibited
- 72.126 Operating motor vehicle while wearing earphones or earplugs
- 72.127 Chauffeured limousines and livery services
- 72.128 Operating traction engine upon improved highway
- 72.129 Cracking exhaust noises; peeling out
- 72.130 Shortcutting across private property

Chapter 73: Motor Vehicle Crimes

Section

General Provisions

- 73.01 Driving under the influence of alcohol or drugs
- 73.02 Implied consent
- 73.03 Physical control of vehicle while under the influence
- 73.04 Driving commercial vehicle with impaired alertness or ability; use of drugs
- 73.05 Reckless operation of vehicles
- 73.06 Reckless operation off streets and highways; competitive operation
- 73.07 Operator to be in reasonable control
- 73.08 Immobilizing or disabling device violation
- 73.09 Street racing defined; prohibited on public highways
- 73.10 Speed limits
- 73.11 Slow speed or stopping
- 73.12 Emergency vehicles excepted from speed limitation
- 73.13 Speed regulations on bridges
- 73.14 Presenting false name or information to officer
- 73.15 Prohibition against resisting officer

Stopping After Accident

- 73.30 Exchange of identity and vehicle registration
- 73.31 Accident involving injury to persons or property
- 73.32 Accident involving damage to realty
- 73.33 Failure to report accident

Chapter 74: Equipment and Loads

Section

Equipment

- 74.01 Unsafe vehicles, prohibition against operation
- 74.02 Bumpers on motor vehicles
- 74.03 Lighted lights required
- 74.04 Headlights
- 74.05 Tail lights and illumination of rear license plate
- 74.06 Red reflectors required
- 74.07 Safety lighting of commercial vehicles
- 74.08 Stoplight regulations
- 74.09 Obscured lights on vehicles
- 74.10 Red light or flag required
- 74.11 Lights on parked vehicles
- 74.12 Lights and emblem on slow-moving vehicles; lights and reflectors on multi-wheel agricultural tractors or farm machinery
- 74.13 Spotlight and auxiliary driving lights
- 74.14 Cowl, fender, and back-up lights
- 74.15 Two lights displayed
- 74.16 Headlights required
- 74.17 Lights of less intensity
- 74.18 Number of lights permitted; red and flashing lights
- 74.19 Standards for lights on snow removal equipment and oversize vehicles
- 74.20 Flashing lights permitted for certain types of vehicles
- 74.21 Lights and sign on transportation for preschool children
- 74.22 Focus and aim of headlights
- 74.23 Brake equipment; specifications
- 74.24 Brake fluid
- 74.25 Minimum standards for brakes and components
- 74.26 Horns, sirens, and warning devices
- 74.27 Mufflers; excessive smoke or gas
- 74.28 Rearview mirrors
- 74.29 Windshields and wipers
- 74.30 Solid tire requirements
- 74.31 Requirements for safety glass in motor vehicles; use of tinted glass or reflectorized material
- 74.32 Directional signals
- 74.33 Installation and sale of seat safety belts required; definition
- 74.34 Requirements for extra signal equipment
- 74.35 Display of warning devices on disabled vehicles
- 74.36 Requirements for vehicles transporting explosives
- 74.37 Studded tires; seasonal use permitted
- 74.38 Safety inspection decals for buses
- 74.39 Air bags

Loads

- 74.50 Permit required to exceed load limits
- 74.51 Limitation of load extension on left side of vehicle
- 74.52 All loads shall be properly secured
- 74.53 Towing requirements; exception to size and weight restrictions
- 74.54 Weighing of vehicle; removal of excess load
- 74.55 Operation of vehicle exceeding weight limits prohibited

- 74.56 Load limits
- 74.57 Maximum width, height, and length
- 74.58 Statement of gross vehicle weight
- 74.59 Wheel protectors required on heavy commercial vehicles
- 74.60 Liability for damages; prosecution; application of monies
- 74.61 Weight exceptions for coal trucks, farm trucks, farm machinery, log trucks, and solid waste haul vehicles

Chapter 75: Bicycles, Motorcycles and Off-Road Vehicles

Section

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- 75.01 Bicycles; application of Title VII
- 75.02 Operation of motorized bicycle
- 75.03 Rules for bicycles, motorcycles, and snowmobiles
- 75.04 Prohibition against attaching bicycles and sleds to vehicles
- 75.05 Riding bicycles; motorcycles abreast
- 75.06 Equipment of bicycles

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- 75.25 Definitions
- 75.26 Equipment
- 75.27 Code application; prohibited operation
- 75.28 Permitted operation
- 75.29 Licensing requirements of operator
- 75.30 Maintenance of vehicles for hire
- 75.31 Accident reports
- 75.32 Impounding of vehicle
- 75.33 Local control within police power
- 75.34 Registration of vehicles
- 75.35 Certificate of title; prohibitions

Chapter 76: Parking Regulations

Section

- 76.01 Prohibition against parking on highways
- 76.02 Condition when motor vehicle left unattended
- 76.03 Police may remove illegally parked vehicle
- 76.04 Parking prohibitions
- 76.05 Parking near curb; privileges for persons with disabilities
- 76.06 Parking on private property in violation of posted prohibition
- 76.07 Selling, washing or repairing vehicle upon roadway
- 76.08 Truck loading zones
- 76.09 Bus stops and taxicab stands
- 76.10 Parking in alleys and narrow streets; exceptions
- 76.11 Registered owner prima facie liable for unlawful parking
- 76.12 Waiver

TITLE IX: GENERAL REGULATIONS

Chapter 90: Animals

Section

Animals Running at Large

- 90.01 Dogs or other animals running at large; dangerous or vicious dogs
- 90.02 Confining animal found at large; publication of notice; lien
- 90.03 Unavoidable escapes
- 90.04 Fees
- 90.05 Rabies quarantine orders of Mayor
- 90.06 Interfering with enforcement of quarantine orders
- 90.07 Reporting escape of exotic or dangerous animals required
- 90.08 Dogs may be killed for certain acts

Offenses Relating to Animals

- 90.20 Abandoning animals
- 90.21 Injuring animals
- 90.22 Poisoning animals
- 90.23 Cruelty to animals; cruelty to companion animals
- 90.24 Animal fights
- 90.25 Trapshooting
- 90.26 Loud dog
- 90.27 Dog tags
- 90.28 Dangerous and vicious dog defined; transfer of ownership certificate; form stating dog's prior behavior
- 90.29 Failure to register dog or dog kennel
- 90.30 Hindering the capture of unregistered dog
- 90.31 Unlawful tag
- 90.32 Rights of blind, deaf or hearing impaired, or mobility impaired person, or trainer with assistance dog
- 90.33 Retail sale and transportation of dogs
- 90.34 Coloring rabbits or baby poultry; regulation of sale and display
- 90.35 Jacklighting prohibited

- 90.99 Penalty

Chapter 91: Fireworks, Explosives, Fire Prevention

Section

Fireworks and Explosives

- 91.01 Definitions
- 91.02 Possession, sale, and use of fireworks
- 91.03 Permit to use fireworks
- 91.04 Manufacturing or wholesale sale without a license; prohibitions
- 91.05 Purchasers to comply with law; unauthorized purchases
- 91.06 Exhibition without a license; prohibitions
- 91.07 Unauthorized transportation or shipping
- 91.08 Application of subchapter
- 91.09 Arrest of offender; seizure and forfeiture of fireworks; distribution of fines
- 91.10 Safety requirements for fireworks showroom structures
- 91.11 Storage of explosives
- 91.12 Blasting permit

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- 91.30 Removal of flammable materials or obstructions
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This summary of contents has been verified and authorized for publication by the Legislative Authority of the Municipality of Village of Amade, Ohio.

Signed:

Mart A Moore
Mayor

CAZ
Clerk of the Legislative Authority

CERTIFICATION OF CODIFIED ORDINANCES

We, Legislative Authority, Mayor, and Council, Clerk of the Legislative Authority, of the Municipality of Village of Amherst, Ohio, pursuant to Ohio Revised Code §§ 731.23 and 731.42, hereby certify that the general and permanent ordinances of the Municipality, as revised, rearranged, compiled, renumbered as to sections, codified and printed herewith in component codes and titles are correct as and constitute the Code of Ordinances for the Municipality of Village of Amherst, Ohio.



Mayor



Clerk of the Legislative Authority

RECORD OF ORDINANCES

ORDINANCE TO ESTABLISH FEES RELATIVE TO

Dayton Legal Blank, Inc.

Form No. 30043

ASSESSMENT OF TAXES

Ordinance No. 03-2010 Passed _____, 20__

WHEREAS the village Legislative Authority desires to establish a fee relative to the assessment of taxes.

WHEREAS a fee of \$150.00 is recommended to cover the cost of labor, material, etc when assessing taxes.

NOW THEREFORE, BE IT ORDAINED BY THE VILLAGE OF AMANDA, OHIO:

That the charge of \$150.00 will be added to all bills that require assessment from the auditor. An additional charge will be added if legal fees that pertain to the collection arise.

That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Signature of Mark A. Moore
Mayor Mark A. Moore

Vote: Yes 6 No 0

Attest:
Signature of Carrie Ayers
Carrie Ayers
Fiscal Officer

The three reading requirement was waived/not waived: (not waived)

Yeas 1 nays

The undersigned, Fiscal Officer of the Legislative Authority, does hereby certify that the foregoing legislation was posted in not less than (5) five public places as determined by the Legislative Authority, for a period of not less than (15) fifteen days prior to the effective date thereof.

Signature of Fiscal Officer
Fiscal Officer

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

Passed _____, 20____

Ordinance #04-2010

Passed
6-7-10

(Name of Jurisdiction)
Wellhead Protection Plan

Section I. APPLICATION.

The regulations set forth in this plan, duly made and adopted in accordance with the provisions set forth by the Ohio Environmental Protection Agency, by their accordance with the Amendment to the Safe Drinking Water Act of 1986, shall apply to any present and/or future wells and wellfields which comprise the source of the public water supply in **(Village of Amanda)**.

Section II. PURPOSE.

The purpose of this plan is to safeguard the health and safety, and general welfare of the residents, and all those who receive, or will receive, the benefits of the water system by establishing a Wellhead Protection Plan which includes standards for land use within designated wellhead protection zones.

**Section III.
ENFORCEMENT OF THE WELLHEAD PROTECTION PLAN.**

Any business or facility who wishes to operate within a Wellhead Protection Zone must first contact the Zoning Inspector and follow the proper zoning procedures. A Zoning Permit shall not be issued until the **(Village of Amanda)** has indicated that such use complies with the Wellhead Protection Plan. The **(Village of Amanda)** is hereby appointed **(the village administrator)** to administer the regulations set forth in the Wellhead Protection Plan described in this Chapter.

Section IV. DEFINITIONS.

As used in this chapter:

- (A) "Above ground storage tank" means any tank, pipe or other vessel, used singularly or in combination, more than ninety percent (90%) of which is above the surface of the ground and used for materials holding, storage or containment.
- (B) "Aquifer" means a consolidated or unconsolidated geologic formation or series of formations that are hydraulically interconnected and that have the ability to receive, store or transmit water to wells or springs.
- (C) "Bulk storage" means the holding or containment of dry, semi-dry or liquid materials in large quantities, either packaged or loose, usually dispensed in smaller quantities for sale, use or consumption. Large quantities are defined as "quantities greater than those associated with normal household use". Normal household use is the amount of regulated substance a prudent person would have available in their home (or office) for performing routine cleaning, insect control, or use at a place of residence.
- (D) "Village means the municipal corporation of the **(Village of Amanda)**, Fairfield County, Ohio.

- (E) "Contaminant" means any substance which, if introduced into groundwater, would degrade the quality of said water.
- (F) "Five year time-of-travel zone" means the area around the public water supply wellfield delineated by the five year time-of-travel contour.
- (G) "Groundwater" means any water below the surface of the earth in a zone of saturation.
- (H) "Hazardous wastes" means wastes that are listed specifically as hazardous and/or exhibits one or more characteristics of hazardous wastes as defined by OAC 3745-51.
- (I) "One year time-of-travel zone" means the area around the public water supply wellfields delineated by the one year time-of-travel contour.
- (J) "Potable water" means water which is satisfactory for drinking, culinary and domestic purposes.
- (K) "Time-of-travel contour" means a series of points when connected together form a boundary from which water takes an equal amount of time to reach a given destination such as a well or wellfield.
- (L) Underground Storage Tanks "UST" means one or any combination of tanks, including underground pipes connected thereto, that are used to contain an accumulation of regulated substances, the volume of which, including the volume of underground pipes connected thereto, is ten percent (10%) or more beneath the surface of the ground, as defined in OAC 1301:7-9-02.
- (M) "Well" means any excavation, regardless of design or method of construction, used for the purpose of removing groundwater from an aquifer, or for the purpose of determining the quality, quantity or level of groundwater on a continuing basis.
- (N) "Wellfield" means track of land that contains a number of wells for supplying water.
- (O) "Wellhead Protection Zone" means the Inner Management Zone (Zone 1) and Drinking Water Source Protection Area (Zone 2) defined below.
- (P) "Wellhead Protection Zone Map" means an official map adopted by the village and delineated to indicate the area(s) of the village which lie inside the wellhead protection zones.
- (Q) "Groundwater professional" means any person certified by the American Institute of Professional Geologists to conduct hydrogeologic studies.
- (R) "Nonconforming facility or use" means any facility or land use which, if new, would not be allowed under the provisions of (**ord# date**), or this (**ordinance**). It includes structures and land uses which became located within **Zone 1** and **Zone 2** because of a change in the zone boundaries or by the adoption of this (**ordinance**).

- (S) "**Inner Management Zone (Zone 1)**" means, at a minimum, the area within the one year time-of-travel contour. The boundary can be changed to add areas outside the one year time-of-travel contour to ease its definition (i.e. use of street or road boundaries or property lines).
- (T) "**Drinking Water Source Protection Area (Zone 2)**" means, at a minimum, the area within or inside the five year time-of-travel contour, and outside the one year time-of-travel contour. The boundary can be changed to add area outside the five year time-of-travel contour to ease its definition (i.e. use of street or road boundaries or property lines).
- (U) "Regulated substances" shall include but not be limited to the following:
- (1) Every substance, material or waste found listed in 40CFR Part 261 or 40CFR Part 302;
 - (2) All materials which exhibit the characteristics of hazardous waste (ignitability, corrosivity, reactivity and toxicity) as identified in 40CFR Part 261;
 - (3) Petroleum products, including fuels and waste oils; and
 - (4) Any solid or semi-solid material which, if left to stand or if exposed to water will leach out or wholly or partially dissolve forming hazardous materials as defined in subsections (1), (2) or (3).

Section V. CREATION OF INNER MANAGEMENT ZONE (ZONE 1) AND DRINKING WATER SOURCE PROTECTION AREA (ZONE 2).

- (A) **Zone 1** is the area within the one year time-of-travel contour as depicted on the Wellhead Protection Zone Map.
- (B) **Zone 2** is the area within the five year time-of-travel contour, and outside the one year time-of-travel contour as depicted on the Wellhead Protection Zone Map.
- (1) Changes may occur with the increase or decrease of pumping at the water plant. The Wellhead Protection Zone Map may be updated when the wellhead protection areas have changed as determined by scientifically derived models as accepted for use by the Ohio Environmental Protection Agency.

Section VI. LAND USE WITHIN INNER MANAGEMENT ZONE (ZONE 1).

Zone 1 contains the (**Village of Amanda**) Wellfield, and in order to protect the wellfield, contains the most restrictive land use practices.

- (A) Prohibited Uses. The following uses are prohibited in the **Inner Management Zone (Zone 1)**.
- (1) Disposal of solid waste.
 - (2) Disposal of hazardous waste.

- (3) Storage of road salt or other deicing chemicals and the dumping of snow containing deicing chemicals.
- (4) Animal feed lots.
- (5) The outside storage of herbicides, pesticides, fertilizers or fungicides.
- (6) Dry cleaning and commercial laundry establishments.
- (7) Industrial uses which discharge processed waters onsite.
- (8) Chemical and bacteriological laboratories.
- (9) Metal polishing, finishing and plating establishments which includes auto body repair establishments.
- (10) Commercial wood finishing, preserving, painting and furniture stripping establishments.
- (11) Commercial printing establishments.
- (12) Motor vehicle service and repair shops, junkyards, motor vehicle junkyards, motor vehicle salvage operations, car washes as well as any similar use which might potentially effect groundwater quality. Motor vehicle service and repair establishments include auto body repair and painting, quick lube stations, any establishment which performs mechanical repairs such as transmission, drive train, engine, brakes, or mufflers. These restrictions also apply to commercial/industrial equipment, earth moving equipment, tractors, motorcycles, and airplanes.
- (13) Trucking and bus terminals.
- (14) Machine shops or foundries.
- (15) Leather tanning and finishing.
- (16) Electrical component manufacturing or assembly.
- (17) New installation of underground storage tanks of liquid petroleum and/or chemical products of any kind.
- (18) Storage of liquid petroleum products of any kind in excess of fifteen gallons except for storage in a free standing container within a building, or fuel for heating of that building. (Fuel tanks of parked vehicles are not included in this section.)
- (19) Storage of petroleum, and/or any other regulated substances in underground storage tanks.

(20) Any other use which involves, as principal activity, the manufacture, storage, use, transportation or disposal of toxic or hazardous material.

(B) Exceptions and Guidelines for **Zone 1**. Any business, facility or structure within **Zone 1** which is established prior to the date in which (**Effective date**) shall be identified in this chapter as a nonconforming facility. Nonconforming facilities are allowed to conduct business, but are to be regulated by the (**Village of Amanda**), and follow these guidelines.

(1) All nonconforming facilities must register with the (**Village of Amanda**).

(2) The registration shall be submitted by the owner or operator of the facility on forms provided by the (**Village of Amanda**) on a bi-annual (every two years) basis, or when the ownership of the facility changes or designated individual change occurs within the two year reporting period, and shall contain at a minimum, the following:

A. Name of the facility;

B. Street and mailing address of facility;

C. The designated individual to contact at the facility;

D. A complete list of all chemicals, pesticides, fuels and other regulated substances as defined in Section 1335.03 to be used or stored on the premises in quantities greater than those associated with normal household use, accompanied by a description of measures proposed to protect such materials from vandalism, corrosion and leakage, and to provide for control of spills. If any chemical, pesticide, fuel, or other regulated substance is added or discontinued during the reporting period, this change is to be made to the registration; and

E. A complete list of potential toxic or hazardous wastes to be generated, indicating storage and disposal methods; and

F. For underground storage of regulated substances, the BUSTR identification number will be provided.

(3) Monitoring wells shall be established for all industrial and commercial facilities utilizing or storing hazardous or toxic materials; the number, construction and location of the wells shall be determined by the (**Village of Amanda**). Once constructed, the wells shall be analyzed for volatile organic compounds (VOC's) semi-volatile organic compounds (SVOC's) and metals to determine background levels for the location. After initial testing, wells will be analyzed for VOC's and any other compounds detected in the background analysis which may pose a threat to the wellfield. The (**Village of Amanda**) shall determine the sampling schedule for each site on an individual basis.

(4) When a nonconforming facility closes for a period of time greater than **six months (village)**, it will lose its nonconforming zoning exception. The same, new or similar nonconforming facility may not open at the site without approval of the (**Village of Amanda**) (**Council**).

(5) If a nonconforming facility or business wishes to upgrade and/or expand its operation, it may be granted a variance by the **(Village of Amanda) (Council)** if said facility or business can demonstrate an overall reduction of risk to the aquifer and/or wellfield, through a pollution prevention program instituted by the facility.

(amendment to zoning code amendment #)

(6) All facilities with USTs:

A. Shall have upgraded USTs by **(one year from effective date)** in accordance with the Bureau of Underground Storage Tank Regulations, OAC 1301:7-9-06;

B. Shall have monitoring systems installed by **(one year from effective date)** in accordance with the Bureau of Underground Storage Tank Regulations, OAC 1301:7-9-07; and

C. Are still governed by the **(Village of Amanda Zoning Code)**.

(7) All facilities which through the generation, transportation, disposal or storage of hazardous substances file reports to the EPA under the guidelines of the Resources Conservation and Recovery Act must also present the **(Village of Amanda)** with a copy of the report.

(C) Land Uses Allowed in **Inner Management Zone (Zone 1)**.

(1) All ordinary and customary uses associated with maintenance and upkeep of buildings and grounds.

(2) Necessary public utilities and/or facilities designed so as to prevent contamination of groundwater;

(3) Agricultural uses: pasture, light grazing, hay making, gardening, nursery and any activities designed for conservation of soil, water, plants and wildlife;

(4) Industrial or commercial uses which do not handle hazardous or toxic wastes or substances; and

(5) Residential uses.

Section VII. LAND USE WITHIN THE DRINKING WATER SOURCE PROTECTION AREA (ZONE 2).

The Drinking Water Source Protection Area (Zone 2) surrounds the Inner Management Zone (Zone 1), and is needed as added protection to the **(Village of Amanda)** Wellfield.

(A) The following uses are prohibited in the Drinking Water Source Protection Area (Zone 2):

- (1) Disposal of solid waste;
- (2) Disposal of hazardous waste;
- (3) The outside storage of herbicide, pesticide fertilizer and fungicide; and
- (4) Any other use which involves, as principal activity, the manufacturing, storage, use, transportation or disposal of toxic or hazardous material.

(B) Regulated Land Uses in **Zone 2**:

- (1) All practices, and facilities prohibited in **Zone 1** but not prohibited in **Zone 2** will follow the guidelines of nonconforming facilities located in **Zone 1** and **Zone 2** described in those sections to include registration with the (**Village of Amanda**), and if required by the (**Village of Amanda**) installation of monitoring wells.
- (2) Any petition to install new underground storage tanks for liquid petroleum and/or chemical products of any kind must first be reviewed by (**Village of Amanda**) to determine its relative position to the wellfield and its potential impact on the aquifer. The length of the review period shall be determined by (**Village of Amanda**).
- (3) Any facility which closes for more than six months must be reviewed and approved by the (**Village of Amanda**) (**Council**) before it may reopen. If approval is not granted, only practices listed in subsection (d) hereof will be permitted at the location.
- (4) Any facility or establishment wishing to open a regulated land use must have the approval of the (**Village of Amanda**).

(C) Exemptions and Guidelines for **Zone 2**. Any business facility or structure within **Zone 2**, which is established prior to the effective date of (**ordinance effective date**), shall be identified as nonconforming facilities, and are allowed to continue to conduct business under the following guidelines:

- (1) All nonconforming facilities in **Zone 2** shall follow the same guidelines given for nonconforming facilities in **Zone 1**.

(D) Allowed Land Uses In **Zone 2**.

- (1) All practices allowed in **Zone 1** are also allowed within **Zone 2**.

Section VIII. RECORD KEEPING.

A copy of the records pertaining to registration under this chapter shall be retained for not less than seven years, and shall be made available for public review by the (**Village of Amanda**) office upon written request. All such copies of the records shall be transferred to any owner or operator of an establishment that is sold, leased, transferred to, or received by a new owner or operator. The

transfer of copies of the records shall in no way eliminate or prevent the necessity of the new owner or operator to register with the **(Village of Amanda)** office as required by the chapter.

Section IX. NOTICE OF VIOLATION.

(A) Any person found in violation of any provision of this chapter, any order, requirement, rule or regulation issued under the authority of such sections will be served with a written notice stating the nature of the violation, and providing reasonable time for compliance. If the **(Village of Amanda)** has previously issued a schedule of compliance or issued an order addressing the same type of or a similar violation and the time for compliance has passed, the **(Village of Amanda)** may dispense with establishing another time period for compliance.

(B) The notice shall be served in the manner provided by law for the service of civil process. Where the address of the violator is unknown, service may be made upon the owner of the property involved at the mailing address of the owner as shown on the County tax record.

Section X. INSPECTIONS.

Subject to applicable provisions of law, the **(Village of Amanda)**, or authorized designee bearing proper identification, shall be permitted to enter private property at any reasonable time, with reasonable cause, or with prior notification, for such purposes as inspection, observation, measurement, sampling and records examination pertaining to the requirements of this chapter to ensure that activities are in accordance with the provisions of this chapter. Upon written request of the entity which is the subject of the inspection and if permitted by the Ohio Public Records Law, information obtained as a result of the inspection shall be maintained as confidential. If the owner or tenant does not consent to the entry of the **(Village of Amanda)** for the above stated purposes, the **(Village of Amanda)** may apply to a court of competent jurisdiction for an appropriate warrant or other authority to enter said property.

Section XI. PENALTY.

Any person, firm, corporation, or business entity who violates any provision of this chapter beyond the first time limit for compliance set forth in writing by the **(Village of Amanda)** shall result in a \$100 fine per day. Any person, firm, corporation, or business entity who continues to violate any provisions of this chapter beyond the time limit for compliance set forth by the **(Village of Amanda)** shall be guilty of a misdemeanor of the first degree. Each day a violation continues, after notification, shall constitute a separate offense.

Section XII. VARIANCES AND APPEALS

(A) Any person aggrieved by any order issued by the **(Village of Amanda)** under the provisions of the Wellhead Protection Plan may appeal such decision to the board of zoning appeals in accordance with the procedures established in the township zoning resolution in addition to (a) and (b) below:

- (1) Wellhead Protection Appeals Advisory Board Established. The member communities of the Fairfield County consortium Drinking Water Source Protection Team (hereinafter "Protection Team") will establish a Wellhead Protection Appeals Advisory Board (WHPAAB) for the technical review of any variance or appeals request submitted under the Wellhead Protection Plan. The WHPAAB shall consist of representatives from communities in the Protection Team. The WHPAAB shall operate in accordance with the bylaws developed by and for the group.
- (2) WHPAAB Review. Before action on any variance or appeal under this Resolution by the board of zoning appeals, the WHPAAB shall review any variance or appeal request to ensure that the request, if granted, will not present a contamination threat to groundwater. The WHPAAB shall provide a recommendation on the variance or appeal request to the board of zoning appeals. In doing so, they may include with the recommendation of any such alternatives or modifications to the request as necessary to minimize the potential for groundwater contamination. The WHPAAB shall have thirty (30) days from receiving the variance or appeals request to make a recommendation to the board of zoning appeals. This thirty (30) day period shall be inclusive within, not in addition to the allowed time frame for review by the board of zoning appeals.

Mayor

Posted
C. J. [Signature]

C. J. [Signature]

Fiscal officer

6-7-10

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 05 ~~2010~~

Passed July 5, 2010

ORDINANCE REQUIRING A LICENSE FOR SOLICITATION AND TO RESCIND PREVIOUS ORDINANCES

WHEREAS the Village of Amanda's Legislative Authority has deemed necessary to regulate solicitation within the Village of Amanda, State of Ohio, for the protection and general welfare of the residents of said Village;


WHEREAS the Legislative Authority would like to rescind the previous ordinances pertaining to solicitation, ord-11976 passed July 6, 1976 and any other that is dated prior to this ordinance.

WHEREAS the Chapter 713 "Peddlers and Solicitors" will be the regulation adopted.

WHEREAS the fee schedule for license will be set as \$ 25.00;

BE IT ORDAINED BY THE LEGISLATIVE AUTHORITY OF THE VILLAGE OF AMANDA, STATE OF OHIO;

ADOPTING-CHAPTER 713 PEDDLERS AND SOLICITORS (SEE ATTACHMENT A)



Mayor Mark A. Moore

Vote: 4 yes 0 no


Carrie Ayers Fiscal Officer

The three reading requirement was waived/not waived:

Yeas 4 nays 0

Fiscal Officer 

The undersigned fiscal officer of the Legislative Authority, does hereby certify that the foregoing legislation was posted in not less than five (5) public places, as determined by the Legislative Authority, for a period of no less than (15) fifteen days prior to the effective date thereof.


Carrie Ayers Fiscal Officer

1st read.
5-3-10

CHAPTER 713
PEDDLERS AND SOLICITORS

Attachment
A

713.01 DEFINITIONS.

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

- (a) **CANVASSER.** Any person who seeks to disseminate any lawful message by means of traveling from place to place without soliciting funds or donations.
- (b) **CHARITABLE.** Includes the words patriotic, philanthropic, social service, welfare, eleemosynary, benevolent, educational, civic, fraternal, veteran's medical and social research, either actual or purported.
- (c) **PEDDLER.** Any person who carries with him for the purpose of sale at retail and immediate or future delivery, goods, wares, food or merchandise, or any person who in person as principal or agent canvasses, sells or otherwise obtains orders or commitments for the sale, repair or exchange of goods, wares, food or merchandise, or services.
- (d) **RELIGIOUS or RELIGION.** Shall not include the word charitable, but shall be given their commonly accepted definitions.
- (e) **SOLICITOR.** Any person who obtains or seeks to obtain funds for any cause whatsoever by means of canvassing from place to place.

713.02 LICENSE OR REGISTRATION REQUIRED.

- (a) Subject to subsections (c) and (d) below, no person shall engage in the business or activity of peddler or solicitor as defined in Section 713.01 in this municipality without first obtaining a license as provided in Section 713.03.
- (b) Subject to subsections (c) and (d) below, all persons acting for or hired by another as a peddler or solicitor in the municipality shall obtain a license as provided in Section 713.03 prior to acting as a peddler or solicitor.
- (c) No license shall be required of any individual who, without compensation, acts as a peddler or solicitor on behalf of and for any recognized religious or charitable not for profit organization. However, subject to subsection (d) below, no individual shall act as a solicitor or peddler on behalf of or for such organization without first having registered with the Mayor pursuant to Section 713.04.
- (d) No license or registration certificate shall be required of any person for the following:
 - (1) Peddling or soliciting only the purchase of or subscription for newspapers having their principal sale or distribution in this municipality or Franklin or Fairfield Counties;
 - (2) Peddling or soliciting only for wholesale delivery to merchants, manufacturers or other business or manufacturing establishments;
 - (3) Peddling or soliciting at the invitation or request of the person contacted;
 - (4) Peddling or soliciting conducted only among the members of the entity or organization conducting the peddling or soliciting;
 - (5) Peddling or soliciting in the form of collections or contributions at the regular assemblies, meeting or services of any recognized charitable or religious not for profit organization;
 - (6) Acting as a canvasser, as defined in Section 713.01, in order to disseminate ideas, thoughts, or message regarding any cause, issue, religion, or political candidate as long as such canvassing does not involve the violation of any local, state, or federal law.

713.03 LICENSE APPLICATION AND REQUIREMENTS.

- (a) Applications for licenses for peddlers or solicitors shall be filed with the Mayor or the Mayor's designee on a form to be furnished by the Mayor or the Mayor's designee, which shall require, at least, the following information:
 - (1) The name of the applicant;

- (2) If the applicant is an individual, a physical description of the applicant;
 - (3) The applicant's social security number or federal identification number;
 - (4) The name and address of the person by whom the applicant is employed or for whom he is soliciting, if any, and the length of the applicant's service with such employer or person;
 - (5) If the applicant is an individual, all places of residence of the applicant and all employment during the preceding year;
 - (6) The nature and character of the goods to be sold or services to be furnished by the applicant or the purpose for which funds are being peddled or solicited;
 - (7) The names of other municipalities in which the applicant has recently conducted peddling or solicitation activities;
 - (8) Verification that the applicant or his employer has complied with the requirements of Revised Code Chapter 1716 pertaining to charitable solicitations, if applicable;
 - (9) If the applicant is a recognized religious or charitable not for profit organization, proof of tax exempt status;
 - (10) A completed background check completed by any law enforcement authority.
- (b) Applicants who are individuals shall furnish a recent photograph of himself or herself not more than one year old.
 - (c) Applications shall be made at least 48 hours before the license is issued.
 - (d) If the Mayor or the Mayor's designee determines after an investigation, that the information furnished under the requirements of subsection (a) above is correct; that the applicant proposes to engage in lawful commercial or professional enterprise and that neither the applicant nor the enterprise upon which the applicant proposes to engage constitutes a clear and present danger to the residents of the municipality, he shall issue a license to the applicant.
 - (e) The license fee charged by the Mayor or the Mayor's designee shall be as set forth from time to time by ordinance. All annual licenses issued under the provisions of this Chapter shall expire on December 31 in the year when issued. Other licenses shall expire on the date specified in the license.
 - (f) No license shall be required for any person who acts as a canvasser if no donations or any other type of contributions are sought by the canvasser.

713.04 REGISTRATION FOR CHARITABLE OR RELIGIOUS PURPOSE.

- (a) Applications for registration certificates shall be filed with the Mayor or the Mayor's designee on a form to be furnished by the Mayor or the Mayor's designee. Each application shall contain:
 - (1) The name, address and the telephone number of the person completing the application;
 - (2) The name of an officer or official of the organization;
 - (3) The nature of the charitable or religious purpose to which the contributions, donations or sale proceeds will be applied;
 - (4) Such other information as the Mayor or the Mayor's designee may require.
- (b) An organization which desires to place a number of peddlers or solicitors in the Village simultaneously may make a group application to cover all of them; however, separate registration certificates shall be issued to each or, in lieu of separate registration certificates, separate information cards shall be issued to each peddler or solicitor by the organization. Such information cards shall include, at a minimum:
 - (1) The name of the organization;
 - (2) A description of the purpose of the peddling or solicitation;
 - (3) The period for which the registration certificate was issued;
 - (4) The name of the peddler or solicitor;
 - (5) A brief description of the peddler or solicitor, such as age, weight, and height;
 - (6) The signatures of the peddler or solicitor and an officer or official of the organization.
- (c) A registration certificate shall be valid for no more than a one-year period. The registration certificate shall state the expiration date.
- (d) No fee shall be required for a registration certificate.

- (e) No registration certificate shall be required for any person who acts as a canvasser on behalf of a religious or charitable organization if no donations or any other type of contributions are sought by the canvasser.

713.05 APPEALS.

Any person who has applied for a license or registration certificate in accordance with this Chapter and to whom the Mayor or the Mayor's designee has, after an investigation, denied a license or registration certificate may appeal to Council. Notice of such appeal shall be filed with the Clerk within five days after the denial by the Mayor or the Mayor's designee. Such appeal shall be heard by Council at the next regular meeting and its decision shall be final.

713.06 CARRYING AND EXHIBITING LICENSE OR REGISTRATION; NON-TRANSFERABILITY; WRITTEN RECEIPT REQUIRED.

- (a) The license or registration certificate issued under the provisions of this Chapter shall at all times be conspicuously attached and exhibited on the outer clothing of the peddler or solicitor.
- (b) Licenses or registration certificates issued under the provisions of this Chapter are nontransferable and shall not be used by any person other than the person identified on the license or registration certificate.
- (c) Upon request, all solicitors or peddlers shall provide a written receipt showing the name of the solicitor or peddler, the amount of the contribution or purchase and the date. Upon request, all persons acting as peddlers or solicitors on behalf of any recognized religious or charitable not for profit organization shall provide a statement attesting to the organization's exempt status under Section 501 of the Federal Internal Revenue Code.

713.07 BUSINESS HOURS RESTRICTED.

- (a) No person shall peddle, solicit or conduct market research, door to door, at dwelling houses or businesses at random, on sidewalks or streets, at public places, at private meeting places or in any other manner or place in the municipality between sunset or 7:30 p.m. whichever is earlier and 9:00 a.m. or on any Sunday or Holiday. Holidays shall be defined as the following: New Year's Day – January 1, Martin Luther King, Jr. Birthday – third Monday of January, President's Day – third Monday in February, Good Friday – Friday before Easter, Easter, Memorial Day – last Monday in May, Independence Day – fourth day of July, Labor Day – first Monday in September, Halloween – October 31, the day declared for Trick or Treat each year (Beggar's Night) if different than Halloween, Veteran's Day – 11th day of November, Thanksgiving Day – fourth Thursday in November, Day after Thanksgiving – Day following the fourth Thursday in November, Day before Christmas – 24th day of December, Christmas Day – 25th day of December.
- (b) This section does not apply to invitees or national charitable corporations licensed to do business in Ohio with recognized periods for campaigns, provided the organizations have been licensed to solicit by the Mayor or the Mayor's designee.

713.08 NOTICE PROHIBITING PEDDLERS OR SOLICITORS.

- (a) The owners or occupants of any residence or place of business may evidence a determination to refuse to receive any uninvited peddlers or solicitors by displaying a weatherproof card, decal or sign not less than three inches by four inches in size nor more than one square foot in total surface area upon or near the main entrance door to the residence or place of business, containing the words "No Peddlers or Solicitors Invited" with letters at least one-third inch in height. Any such weatherproof card, decal or sign which complies with the requirements of this section shall be exempt from any additional or different requirements contained in the provisions of Village Zoning Regulations.

- (b) No person shall go upon any premises and ring the door bell, rap or knock upon any door, or create any sound in any other manner calculated to attract the attention of any occupant of such residence or place of business for the purpose of securing an audience with the occupants thereof and engage in peddling or solicitation in defiance of a notice displayed pursuant to subsection (a) hereof.

713.09 FRAUD PROHIBITED; REVOCATION OF LICENSE OR REGISTRATION CERTIFICATE.

- (a) No person shall directly or indirectly make or perpetrate any misstatement, deception or fraud in connection with any solicitation or peddling for any purpose in the Village or in any application or report filed under this Chapter.
- (b) No person having entered into an agreement to conduct any peddling or solicitation on behalf of any person or organization shall fail to remit or pay to the party entitled thereto the proceeds of such peddling or solicitation in accordance with the terms of the agreement.
- (c) The Mayor or the Mayor's designee may revoke at any time any license or registration certificate issued under the provisions of this Chapter for violation of any provision of this Chapter.

713.10 PERMIT TO SOLICIT CHARITABLE CONTRIBUTIONS ON HIGHWAYS.

- (a) The Mayor or the Mayor's designee may issue a permit to solicit contributions on highways from the occupants of vehicles when all of the requirements of subsection (b) below have been met.
- (b) A charitable organization may apply for and obtain a permit to solicit contributions on highways, but not on freeways as provided in Ohio R.C. 4511.051, as follows:
- (1) The Mayor or the Mayor's designee shall prescribe a form and receive applications for permits to solicit contributions on highways.
 - (2) Only a charitable organization that has received from the Internal Revenue Service a currently valid ruling or determination letter recognizing the tax exempt status of the organization pursuant to Section 501(c)(3) of the Internal Revenue Code as amended may apply for a permit to solicit contributions on highways. A copy of the Internal Revenue Service ruling or determination letter must be attached to the application.
 - (3) The application shall specify the date and times for which the permit to solicit contributions on highways is sought. A permit to solicit contributions on highways shall not be issued for more than one day each calendar year, and the solicitation activities shall occur only between one hour after sunrise until one hour before sunset on that date.
 - (4) The application shall specify the locations for which the permit to solicit contributions on highways is sought. A permit to solicit contributions on highways shall not be issued for more than two intersections.
 - (5) The application shall list the names and addresses of all agents authorized to solicit contributions on highways on behalf of the charitable organization.
 - (6) The application shall be accompanied by a paid up liability insurance policy or certificate of insurance in the amount of not less than one million dollars (\$1,000,000) that insures the charitable organization for any and all claims that may arise as a result of soliciting contributions on the highways and which insurance policy contains a clause that names the Village of Canal Winchester and its elected and appointed officials, agents or employees as additional insureds under such policy.
 - (7) The application shall be accompanied by a signed waiver of liability from all agents authorized to solicit contributions on highways on behalf of the charitable organization for any and all claims that may arise as a result of soliciting contributions on highways.
 - (8) Prior to the issuance of a permit to solicit contributions on highways, the Mayor or the Mayor's designee shall verify that the proposed solicitation at the locations and the date and times specified in the application does not conflict with a previously issued parade permit or scheduled public event. No more than one permit shall be issued for the use of any intersection during any calendar

day, and no more than one charitable organization shall be permitted to solicit contributions on highways on the same calendar day.

- (9) For each charitable organization issued a permit to solicit contributions on highways, the Fairfield County Sheriff's Department shall be provided a copy of the charitable organization's application; its permit; and the names of the agents authorized to solicit contributions on highways on behalf of the charitable organization.
- (10) All agents soliciting contributions on highways on behalf of a charitable organization shall possess a copy of such permit at all times during the period of such solicitation.
- (11) All agents soliciting contributions on highways on behalf of a charitable organization shall wear light-colored clothing and/or safety vests and shall prominently display an identification of the charitable organization.
- (12) The Mayor or the Mayor's designee shall have the authority to revoke a charitable organization's permit to solicit contributions on highways, and the Mayor or the Mayor's designee or the police officers of the Fairfield County Sheriff's Department, in their sole discretion, may order any and all of a charitable organization's agents to cease all activity if conditions become hazardous and/or inclement or if a charitable organization's agents fail to comply with the requirements of this section.

713.99 PENALTY

Whoever violates any provision of this Chapter shall be guilty of a fourth-degree misdemeanor. Each day on which such activities are conducted in violation of this Chapter shall constitute a separate offense.

~~278~~ 14)

RECORD OF ORDINANCES

5-39-3 THE COL. B. B. MFG. CO.

2806-A

5-39-3 THE C

Ordinance No. I- 1976

Passed July 6, 1976 19

Ordina

AN ORDINANCE REQUIRING A LICENSE FOR SOLICITATION AND TO PROVIDE A PENALTY:

WHEREAS, it is deemed necessary by this Council to regulate solicitation within the Village of Amanda, State of Ohio, for the protection and general welfare of the residents of said Village; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF AMANDA, STATE OF OHIO:

SECTION I: Every person engaged in the business of going about the village soliciting orders for goods, wares, merchandise, or other articles, for profit, shall pay an annual license fee therefor in the sum of Twenty Five Dollars, (\$ 25.00); provided, however, that this fee shall not apply to an employee of any person maintaining a regularly established bona fide place of business within the village, nor to any person taking orders for products of his own raising and/or manufacture.

SECTION II. That said annual fee shall be due and payable in full upon approval and issuance of such license by the Mayor.

SECTION III. Violation of the provisions of Section I of this ordinance shall be punishable as a minor misdemeanor and anyone found guilty thereof shall be fined not more than Fifty Dollars (\$ 50.00), and costs. Each day's violation shall be deemed a separate and distinct offense.

SECTION IV. This ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: July 6, 1976

Vote: Yeas 6 Nays 0

Offered by: Kennedy

Seconded by: Schooley

Attest: Kuhn- Clerk

Mayor: Allen S Webb.

Rescinded

SECTION

SECTION 2

SECTION

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