

**VILLAGE
OF
GLORIA GLENS PARK**



**Code
of
Miscellaneous Ordinances**

VILLAGE OF GLORIA GLENS PARK CODE OF MISCELLANEOUS ORDINANCES

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NOTE: These Other Codes are Found in Separate Booklets and Digital Documents:

- Traffic Code
- Criminal Code
- Zoning Ordinance
- Special Purpose Flood Damage Reduction Ordinance

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MISCELLANEOUS ORDINANCES:

I. ADMINISTRATION

A. Adoption of County Flood Plan (06-04)

RESOLUTION NO. 06-04

Adoption of Medina County hazard and flood mitigation plan

WHEREAS, by Resolution 2003-09 the Council of the Village of Gloria Glens Park, Medina County, Ohio, supported the concept of building a safer community through the Mitigation Plan developed by the Medina County Emergency Management Agency and approved and adopted the Medina County Mitigation Plan,

WHEREAS, the Federal Emergency Management Agency (FEMA) required additions to the Plan and resubmission to FEMA, and

WHEREAS, FEMA requires that all affected communities submit new resolutions adopting the Plan,

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Gloria Glens Park, Medina County, Ohio, that the Medina County All Hazards and Flood Mitigation Plan be adopted and,

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the Medina County Emergency Management Agency.

B. Fees

ORDINANCE NO. 1997-4

Changes schedule of Zoning fees

[Amends Ordinances No. 1988-5 and 1993-1]

Section I: The fees for permits and procedures to be paid by the applicant under the Village Zoning Ordinance No. 1988-3 and its Amendments shall be as follows:

1. For Zoning Permit:
 - a. New Residential Construction: \$0.10 per square foot of living area.
 - b. Decks and Garages: \$10.00 plus \$0.05 per square foot of the structure.
 - c. Accessory Buildings, Sheds and Fences: \$10.00.
 - d. All other permits: \$25.00.
2. Application for Amendment of Zoning Code: \$50.00.
3. application for Variance: \$50.00.

Section II: Ordinances No. 1988-5 and 1993-1 establishing such fees and charges are hereby repealed.

C. Fiscal Officer

ORDINANCE NO. 2002-06

Creates position of Fiscal Officer

SECTION I. In accordance with Section 733.262, Revised Code, there is hereby created the position of Village Fiscal Officer. The salary of the Village fiscal Officer shall be Three Hundred Fifty Dollars (\$350.00) per month, payable monthly.

SECTION II. Village Fiscal Officer shall have those powers, duties, and functions as provided by the general laws of the State of Ohio.

D. Salaries of Mayor and Council

ORDINANCE NO. 2001-05

Salaries of Mayor and members of Council

SECTION I: The salary of the Mayor of the Village is hereby One Hundred Dollars (\$100.00) per meeting, if present at the meeting, both regular and special meetings of Council duly called, effective January 1, 2004.

SECTION II: Council President shall be paid One Hundred Dollars (\$100.00) per meeting, if present at the meeting, both regular and special meetings of Council duly called during his term as Council President, effective January 1, 2002.

SECTION III: Members of Council of the Village shall be paid Seventy-Five Dollars (\$75.00) per meeting, if present at the meeting, both regular and special meetings of Council duly called, effective January 1, 2000.

E. Open Records Policy

ORDINANCE NO. 2007-12

Policy for open records

Introduction:

It is the policy of this Village that openness leads to a better informed citizenry, which leads to better government and better public policy. It is the policy of this Village to strictly adhere to the state's Public Records Act. All exemptions to openness are to be construed in their narrowest sense and any denial of public records in response to a valid request must be accompanied by an explanation, including legal authority, as outlined in the Ohio Revised Code. If the request is in writing, the explanation must also be in writing.

Section 1. Public records

This office, in accordance with the Ohio Revised Code, defines records as including the following: Any document – paper, electronic (including, but not limited to, e-mail), or other format – that is created or received by, or comes under the jurisdiction of a public office that documents the organization, functions, policies, decisions, procedures, operations, or other activities of the office. All records of this village are public unless they are specifically exempt from disclosure under the Ohio Revised Code.

Section 1.1 It is the policy of this village that, as required by Ohio law, records will be organized and maintained so that they are readily available for inspection and copying (See Section 4 for the e-mail record policy). Record retention schedules are to be updated regularly and posted prominently.

Section 2. Record requests Each request for public records should be evaluated for a response using the following guidelines:

Section 2.1 Although no specific language is required to make a request, the requester must at least identify the records requested with sufficient clarity to allow the public office to identify, retrieve, and review the records. If it is not clear what records are being sought, the records custodian must contact the requester for clarification, and should assist the requestor in revising the request by informing the requestor of the manner in which the office keeps its records.

Section 2.2 The requester does not have to put a records request in writing, and does not have to provide his or her identity or the intended use of the requested public record. It is this office's general policy that this information is not to be requested.

Section 2.3 Public records are to be available for inspection during regular business hours, with the exception of published holidays. Public records must be made available for inspection promptly. Copies of public records must be made available within a reasonable period of time. "Prompt" and "reasonable" take into account the volume of records requested; the proximity of the location where the records are stored; and the necessity for any legal review of the records requested.

Section 2.4 All records requests shall be answered in a reasonable time.

Section 2.5 Any denial of public records requested must include an explanation, including legal authority. If portions of a record are public and portions are exempt, the exempt

portions are to be redacted and the rest released. If there are redactions, each redaction must be accompanied by a supporting explanation, including legal authority.

Section 3. Costs for Public Records

Those seeking public records will be charged only the actual cost of making copies.

Section 3.1 The charge for paper copies is 5 cents per page.

Section 3.2 The charge for downloaded computer files to a compact disc is \$1 per disc.

Section 3.3 There is no charge for documents e-mailed.

Section 3.4 Requesters may ask that documents be mailed to them. They will be charged the actual cost of the postage and mailing supplies.

Section 4. E-mail

The Village of Gloria Glens Park is including this position statement as a part of our “records retention schedule” to clarify and define e-mails that need to be retained as an official record.

If an email **does not** set policy, **does not** establish guidelines or procedures, **does not** certify a transaction, or **does not** become a receipt, it will be considered a “non-record” aka a “transient document” that does not need to be retained, that can be eliminated or discarded and does not need to be provided in a records request.

If, in the opinion of the Village Solicitor and/or Village Fiscal Officer, an email is considered “necessary” even though it may be a “non-record”, such emails will be retained as public records and provided in a records request.

Emails that do set policy, that **do** establish guidelines or procedures, that **do** certify a transaction, or that **do** become a receipt are considered public records and will be retained and provided in a records request.

This position statement is in line with the approved Ohio Electronic Records Committee document dated September 1, 2019 as found at www.ohioerc.org.

Section 5. Failure to respond to a public records request

The Village recognizes the legal and non-legal consequences of failure to properly respond to a public records request. In addition to the distrust in government that failure to comply may cause, the village’s failure to comply with a request may result in a court ordering the village to comply with the law and to pay the requester attorney’s fees and damages

F. Legal Counsel

ORDINANCE NO. 1986-7

Provides legal counsel to indigent persons

Section I: That the Village shall contract with the Commissioners of Medina County, Ohio to provide for the appointment of legal counsel to defend indigent persons charged with a serious violation of the Village’s Ordinances.

G. Solicitation in the Village

ORDINANCE NO. 2009-11

Regulates and requires a permit for door to door and public property solicitation activities

SECTION I: Village Council hereby approves and adopts the attached “DOOR TO DOOR AND PUBLIC PROPERTY SOLICITATION REGULATIONS” which are incorporated herein by reference and will apply to such activities within the Village.

A. DOOR TO DOOR AND PUBLIC PROPERTY SOLICITATION PROHIBITED WITHOUT A PERMIT; EXCEPTIONS

1. No person shall solicit anyone on public property within the Village or call at any residence or place of business within the Village without the invitation or previous consent of the owner or occupant to attempt to sell goods or services of any kind, solicit orders or subscriptions for the purchase of goods or services of any kind, or solicit contributions of cash or any other property for any purpose or reason without first having obtained a Solicitation Permit from the Village.

2. In this Ordinance “Public Property” includes all Village buildings, roads, parks, parking lots, rights-of-way or other areas open to the public or to residents of the Village.

B. THIS SECTION AND PROHIBITION SHALL NOT APPLY TO ANY OF THE FOLLOWING PERSONS:

1. Students enrolled in any school in the Cloverleaf School District who are soliciting contributions, sales or orders for the benefit of their school or for any school-related activity or purpose; and

2. Persons seeking contributions by or on behalf of organizations which have been accorded exempt status under Section 501(C)(3) of the United States Internal Revenue Code; and

3. Persons who are providing information, literature or other communication regarding political issues, political candidates or any religious institution or religion.

C. PERMIT APPLICATION PROCESS

1. APPLICATION – Applications for Solicitation Permits shall be made upon a form provided by the Village Fiscal Officer, which may also be made available by download from the Village website and can be submitted in person, by mail or by fax transmission to the Village Fiscal Officer. The applicant shall designate whether he or she wants the permit, if approved, to be returned by way of pickup by the applicant, fax transmission, regular mail or other means. Each application shall contain the name, address and phone number of the person submitting the application, and the name, address and telephone number of the organization or employer for which he or she purports to act, if any, the

nature of the goods or services for which he or she will attempt to make sales, take orders, offer for sale, or solicit subscriptions, the dates which the applicant expects to be making solicitations within the Village, and such other information as the Village Fiscal Officer may reasonably require. No permit will be valid for more than thirty (30) days after it is issued.

2. BACKGROUND CHECK. The applicant authorizes a criminal background check upon himself or herself by the Village by making application for a permit and if the check reveals that the applicant or permit holder has been convicted of a crime or if a misrepresentation is made on an application for a permit, the application may be denied by the Village Fiscal Officer.

3. GROUP APPLICATIONS. An organization which desires to place a number of persons in the Village simultaneously or over a period of time may make a group application to cover all of such persons, provided the information required in any application is submitted for each person. Separate Solicitation Permits shall be issued to each such person.

4. FEE SCHEDULE. The Council of the Village may establish a schedule of fees for applications, background checks and other matters required to be performed by the Village Fiscal Officer in administering these provisions which shall be payable by the applicant before any permit is issued.

D. TIME LIMIT ON SOLICITATION

No person shall engage in solicitation of any kind within the Village except between sunrise and sunset each day.

E. DISPLAY OF PERMIT.

Any person soliciting within the Village pursuant to a permit issued under this Ordinance shall display the permit upon request to the owner or occupant of any property within the Village and to any Village official upon request.

F. APPEAL.

Any person who has had a Solicitation Permit revoked or for whom the Village Fiscal Officer has refused to issue a Solicitation Permit upon application may appeal the decision in writing to the Mayor of the Village within five (5) days following the revocation or disapproval setting forth the reasons such action should not have been taken. The Mayor will notify such appellant within seven (7) days after the date of receipt of the written appeal of his decision.

G. PENALTIES

Whoever violates of this Ordinance is guilty of a minor misdemeanor for the first offense and a misdemeanor of the fourth offense for any subsequent offense occurring within a twelve (12) month period.

II. ANIMALS

A. Cats

ORDINANCE NO. 2010-09

SECTION I: Ordinance No. 1977-12 titled “Ordinance regulating cats within the Village” is hereby repealed and the same is of no further force and effect.

B. Dogs - Removal of Waste Products

ORDINANCE NO. 2010-5

Removal of Fecal Remains; leash and control of dogs

SECTION I: REMOVAL OF DOG WASTE PRODUCTS

- (A) The owner, keeper or harbinger of a dog must immediately clean up, remove and dispose of fecal remains and waste droppings of the dog on any property in the Village, other than property occupied as a residence by such person.
- (B) Violation of this section shall be a minor misdemeanor.

C. Dogs – Leashing and Control

SECTION II: LEASHING AND CONTROL OF DOGS IN THE VILLAGE

- (A) The owner, keeper or harbinger of a dog must keep the dog on a leash held by such person and keep the dog under his or her control at all times on any property in the Village other than property occupied as a residence by such person.
- (B) Violation of this section shall be a minor misdemeanor.

ORDINANCE NO. 2011-07 *[amended by Ord. No. 2015-05, July 28, 2015]*

ANIMALS PROHIBITED AT LAKEFRONT AND PLAYGROUND

- A. All dogs and other domestic animals and pets are hereby prohibited from being in the fenced-in areas of the lakefront beach and play area and the fenced-in playground in the northwest portion of the basketball court/tennis court area.
- B. This Ordinance shall not apply or restrict seeing eye dogs or other medically prescribed special purpose dogs and police dogs on official business in the preceding areas.
- C. The owner, keeper, harbinger or person in charge of such animal in violation of this Ordinance shall be guilty of a minor misdemeanor.

D. Keeping Animals

ORDINANCE NO. 1982-3

Regulates the keeping of animals

SECTION I: That the General Offenses Code of the Village of Gloria Glens be amended to add the following Section 618.01:

- (a) It is declared to be a nuisance and unlawful for any person to harbor, pasture, keep or otherwise maintain any cattle, swine, sheep or goats, lions, tigers, or other wild or non-domestic cats, bears, raccoons, mink, weasels, ferrets, or any other animal of a wild or non-domestic origin within the Village limits.
- (b) If an owner is found to harbor or keep an animal restriction in Subsection (a) above, the animal shall be seized and delivered to the Medina County Animal Shelter or other proper facility for impoundment.
- (c) Whoever violates any of the provisions of this Section is guilty of a minor misdemeanor. Punishment shall be provided in Section 698.02

III. BUILDINGS

A. Manufactured Homes

ORDINANCE NO. 07-07

Enforcement of Ohio Manufactured Homes installation standards

SECTION I: The Village of Gloria Glens Park through its mayor and its fiscal officer is hereby authorized and directed to enter into an agreement with Medina County for the enforcement of the Ohio Manufactured Homes Commission rules within the limits of said Village, whereby the Medina County Building Department will exercise all enforcement authority and accept and approve plans and specifications and make inspections necessary within said Village in accordance with the provisions of the Ohio Manufactured Homes Commission rules.

SECTION II: The terms of the said agreement shall grant to the County full authority to do all things necessary to administer and enforce the Ohio Manufactured Homes Commission rules within the limits of the Village of Gloria Glens Park and in consideration therefore to allow the County to retain all permit and inspection fees authorized by the State of Ohio and Medina County for such purposes.

SECTION III: The Legislature Authority of said Village of Gloria Glens Park further agrees to hold the County harmless for all claims or causes of action of every kind and nature arising from the acts of the County, its agents, employees, and representatives in the administration and enforcement of said rules.

B. Standards of Building Code (County)

ORDINANCE NO. 2007-04

Enforcement of Ohio Building Code to include hospitals and nursing homes

WHEREAS, the Village of Gloria Glens Park has received certification of its Building Department to enforce the Ohio Building Code pursuant to Section 3781.10(E) of the Revised Code; and

WHEREAS, the Village of Gloria Glens Park via Ordinance 509-00 excluded that group of buildings whose use is described currently by the Ohio Building Code Section 308.3 as Use Group I-2 which includes hospitals and nursing homes; and

WHEREAS, the State of Ohio Board of Building Standards' certification of the Village of Gloria Glens Park Building Department excluded Use Group I-2; and

WHEREAS, no reason exists for the Village of Gloria Glens Park to continue to exclude this Use Group I-2 from its certification.

ORDINANCE NO. 2006-10

Ohio Board of Building Standards for enforcement of Residential Code; accept and approve plans and specifications

SECTION I: That Ohio Administrative Code 4101:8 – Residential Code of Ohio as promulgated by the Ohio Board of Building Standards, shall apply and be enforced within the Village of Gloria Glens Park, Ohio.

SECTION II: That this Ordinance shall be in full force and effect from and after the earliest period permitted by law through the certification process, by the Ohio Board of Building Standards.

SECTION III: The Mayor of the Village of Gloria Glens Park is hereby authorized and directed to sign and submit an application to the Ohio Board of Building Standards requesting said Board to certify the Village of Gloria Glens Park enforcement of the Residential Code of Ohio with the condition that the Medina County Building Department exercise the enforcement authority as necessary in accordance with the Residential Code of Ohio within the limits of said Village and to enter into an agreement with Medina County Building Department for such purpose.

SECTION IV: The Village of Gloria Glens Park through its Mayor and its Fiscal Officer is hereby authorized and directed to enter into an agreement with Medina County for the enforcement of the Residential Code of Ohio within the limits of said Village, whereby the Medina County Building Department will exercise all enforcement authority and accept and approve plans and specifications and make inspections necessary within said Village in accordance with the provisions of the Residential Code of Ohio.

SECTION V: The terms of the said Agreement shall grant to the County full authority to do all things necessary to administer and enforce the Residential Code of Ohio within the limits of the Village of Gloria Glens Park and in consideration therefore to allow the County to retain all permit and inspection fees authorized by the State of Ohio for such purposes.

SECTION VI: The Legislature Authority of said Village of Gloria Glens Park further agrees to hold the County harmless for all claims or causes of action of every kind and nature arising from the acts of the County, its agents, employees, and representatives in the administration and enforcement of said codes.

SECTION VII: This Ordinance is hereby declared to be an emergency measure, the immediate passage of which is necessary for the public health safety, and welfare and to allow for local enforcement of Chapter 3781 of the Revised Code of Ohio and shall take effect and be in force immediately upon its passage.

SECTION VIII: The said Fiscal Officer is further directed to publish this Ordinance as provided by law.

D. Equal Housing

RESOLUTION NO. 2003-02

Approval of Medina County Equal Housing Resolution No. 81-509 and is applicable in the Village.

SECTION I: Village Council hereby approves Resolution No. 81-509, A RESOLUTION TO PROVIDE FOR EQUAL HOUSING OPPORTUNITY IN THE COUNTY OF MEDINA, OHIO, a copy of which is attached hereto and incorporated herein, adopted by the Medina County Commissioners on June 29, 1981, and acknowledges that said Resolution and its fair housing requirements and procedures are applicable throughout the Village of Gloria Glens Park, and that the Fair Housing Board established by the Medina County Commissioners pursuant to said Resolution has jurisdiction and authority to hear and determine all complaints and other proceedings regarding unlawful housing practices within the Village of Gloria Glens Park.

E. Satellite Signaling Receiving Antennas

ORDINANCE NO. 1986-1

Regulates the construction and operation of dish-type satellite signaling receiving antennas.

DEFINITIONS:

1. "Dish-type satellite signal-receiving antennas" also referred to as "earth stations" or "ground stations," shall mean one, or a combination of two or more of the following:

A. A signal-receiving device (antenna, dish antenna or dish-type antenna), the purpose of which is to receive communication or other signals from satellites in Earth orbit and other extraterrestrial sources.

B. A low-noise amplifier (LNA) that is situated at the focal point of the receiving component and the purpose of which is to magnify, store; transfer and/or transmit electronic or light signals.

C. A coaxial cable, the purpose of which is to carry or transmit said signals to a receiver.

2. "Receiver" shall mean a television set or radio receiver.

3. "Dish" shall mean that part of a satellite signal-receiving antenna characteristically shaped like a saucer or dish.

4. "Grounding rod" shall mean a metal pole permanently positioned in the earth to serve as an electrical conductor, through which electrical current may safely pass and dissipate.

PERMIT REQUIRED:

No owner, lessor, lessee, renter or other legal entity shall construct an "earth

station", "ground station", or "dish-type satellite signal-receiving antenna" without a permit, nor shall construction commence before a permit is issued in accordance with this Ordinance.

APPLICATION FOR PERMIT:

1. The owner or occupant, with written permission for construction from the owner, of land within the Village who wishes to construct an earth station or satellite dish on such property must first obtain a permit to do so from the Village building inspector.
2. Each application for permit shall include the name, address, and telephone number of the owner of the real estate and the applicant, a plot plan of the lot showing the exact location and dimensions of the earth station, the exact location and dimensions of all other buildings or structures on the lot, construction plans and specifications showing materials to be used in construction and the elevation of the proposed earth station on completion, and the name of the contractor who will be constructing the earth station.
3. The application for permit shall include a fee of \$ 35,00 which represents the permit fee. The permit fee will cover all costs of reviewing the construction plans and specifications, inspection of the final construction and processing of the application.
4. The building inspector shall notify in writing the owners of all adjoining properties to the property on which the proposed earth station will be located at least ten (10) days before issuing the permit.
5. The building inspector shall issue the permit for construction of the earth station if the application, specifications and plans comply with the requirements of this Ordinance.
6. The applicant shall present documentation before issuance of ~~~ permit of the possession of any license or permit required by any federal, state or local agency pertaining to the ownership, construction or operation of the proposed earth station.

LOCATION OF EARTH STATION

1. Ground-mounted:
 - A. No earth station shall be constructed in any front yard or upon the roof of any structure.
 - B. No point on the structure of any earth station, including its concrete use or other substructure, shall be less than ten (10) feet from any property line" easement or building or other structure located on the lot.
 - C. No earth station shall be constructed closer than forty (40) feet to the right-of-way of any road.
 - D. No earth station shall be constructed without appropriate evergreen landscaping or a privacy fence to reasonably conceal the earth station from view, which

shall surround all sides of the earth station and be at least three (3) feet high, and the planting or construction of the fence will be completed before final approval by the building inspector.

E. No earth station shall be linked physically or electronically, to any receiver not located on the same property as the earth station.

F. No earth station shall exceed a grade height of fifteen (15) feet.

G. All structural supports shall be galvanized steel, aluminum, or stainless steel metal.

H. Wiring between an earth station and its receiver shall be placed at least eighteen (18) inches under ground within rigid conduit.

I. Any earth station shall be designed to withstand a wind force of seventy-five (75) miles per hour without the use of guy wires.

J. Any driving motor shall be limited to a 110 volt maximum power design and encased in protective guards.

K. An earth station must be bonded to a grounding rod, and the dish shall not exceed twelve (12) feet in diameter.

PENALTY:

Whoever violates any of the provisions of this Ordinance shall be fined not more than \$250.00. A separate violation shall be deemed to have been committed each day during or on which a violation occurs or continues to occur.

APPEALS:

Any interested party may appeal any decision of the building inspector with respect to any application for permit to construct an earth station. Such appeal shall be taken by the filing of a notice of appeal with the building inspector and clerk of Village Council specifying the reasons and grounds for the appeal and the specific decision appealed from, and such appeals shall be heard and determined by the Village Council at their next regularly scheduled council meeting date.

VARIANCES:

Upon application to the Village Council, council may grant variances from the requirements and terms of this Ordinance where a special hardship is created by the literal application of the requirements of this Ordinance. In granting such variances, the Village Council may specify terms and conditions for the location, construction and specifications of the earth station.

D. FORECLOSURE REGISTRATION

ORDINANCE NO. 2013-04 - Adopted May1, 2013

Procedure for foreclosure registration of vacant properties.

A. APPLICATION OF ORDINANCE

This Ordinance shall apply to all properties located within the Village.

B. DEFINITIONS

1. "Person" means a natural person or any legal entity included, but not limited to, a corporation, firm, partnership, trust or association, and the attorney or law firm representing a party initiating a foreclosure action.
2. "Vacant" means that no person actually resides in any part of the building or structure on the property, or that no person conducts a lawful business in any part of the building or structure located on the property, or that there is no building or structure on the property.

C. NOTICE OF FORECLOSURE FILING

1. Any person who files a complaint in any court of competent jurisdiction for foreclosure involving real property located with the Village shall notify the Village of the filing of the foreclosure complaint within thirty (30) days after filing of the complaint.

D. PERSON RESPONSIBLE FOR MAINTENANCE IN THE EVENT OF FORECLOSURE:

1. If the building or structure on a property that is the subject of a foreclosure proceeding is vacant at the time the foreclosure complaint is filed with a court of competent jurisdiction, then the person filing the foreclosure complaint shall notify the Village in writing of the name, address and contact information for the person who will be responsible for maintaining the property in compliance with all applicable provisions of the Ordinances of the Village.
2. If the building of structure on the property that is the subject of a foreclosure proceeding becomes vacant at any time after the foreclosure complaint is filed with a court of competent jurisdiction, then the person filing the foreclosure notice shall notify the Village in writing of the name, address and contact information for the person who will be responsible for maintaining the property in compliance with all applicable provision of the Ordinances of the Village.
3. If at any time during the foreclosure proceedings there is a change in the person(s) responsible for maintaining the property, then the person filing the

foreclosure complaint shall notify the Village in writing of the name, address and contact person who will, or who has, assumed responsibility for maintaining the property within ten (10) business days of the changes.

E. PENALTY

Whoever fails to file any of the foregoing notices with the Village as required by this Ordinance shall be deemed guilty of an unclassified misdemeanor and subject to a fine of five hundred dollars (\$500.00). Each day during which non-compliance continues shall constitute a separate offense.

**VILLAGE OF GLORIA GLENS PARK
MEDINA COUNTY, OHIO**

NOTIFICATION OF FORECLOSURE FILING

Ordinance No. _____ of the Village of Gloria Glens Park requires a party who files a foreclosure action for any property located within the Village to provide the Village with notice of the foreclosure, and the following information within thirty (30) days after the filing of the complaint.

Whoever fails to file Notice of the Foreclosure or fails to identify the person responsible for such property is guilty of an unclassified misdemeanor and subject to a fine of Five Hundred Dollars (\$500.00).

COURT INFORMATION

Court Case No. _____ Foreclosure File Date: _____

Is Structure Occupied: _____ YES _____ NO

Party/Company Filing Complaint: _____

Mailing Address: _____

Phone Number: _____ Email: _____

PROPERTY OWNER INFORMATION

Name(s) _____

Current Mailing Address: _____

Phone: _____ Email: _____

PROPERTY DESCRIPTION

Address of Property: _____

Parcel Number(s): _____

Type of Property: _____ Single Family _____ Multi-Family _____ Commercial
_____ Industrial

INDIVIDUAL RESPONSIBLE FOR MAINTENANCE**

Name: _____ Company: _____

Address: _____

Phone: _____ Email: _____

**If the property subsequently becomes vacant or if the individual responsible for maintenance changes, the person who filed the foreclosure complaint shall notify the Village of the name, address, telephone number and contact information for the person who will be responsible for maintaining the property within ten (10) days of the change.

VACANT BUILDING PLAN

() Demolition _____

() Secure and maintain _____

() Rehabilitation _____

() Other – Explain: _____

I certify that the information given herein is true and complete to the best of my knowledge.

I understand that any false or misleading information may subject me to prosecution under Ohio Revised Code §2921.13.

Signature

Date

Print Name

Email

Address

Fax Number

Telephone

E. CLANDESTINE DRUG LABS

ORDINANCE NO. 2013-05 - *Adopted May 1, 2013*

Provides for recovery of costs of abatement and clean-up of hazardous conditions and materials in clandestine drug labs.

A. DEFINITIONS

1. CHEMICAL DUMPSITE means any place or area where chemicals or other waste materials used, intended to be used, or produced in a clandestine drug lab have been located.
2. CLANDESTINE DRUG LAB means a location used for the unlawful manufacture or attempt to manufacture controlled substances.
3. CLANDESTINE DRUG LAB SITE means any place or area where law enforcement has determined that conditions associated with the operation of a clandestine drug lab exist. A clandestine drug lab site may include residential, commercial, industrial or institutional structures, accessory buildings, accessory structures, motor vehicles, a chemical dumpsite or any land.
4. CONTROLLED SUBSTANCE means a drug, compound, mixture, preparation, or substance included in schedules "I" through "V" of Ohio Revised Code §3719.41 or as amended from time to time. The term does not include distilled spirits, wine, malt beverages, intoxicating liquors or tobacco.
5. EXPENSE means any expense incurred due to the use of employees, materials, and/or equipment of the Village or its agent to investigate, mitigate, minimize, remove or abate any hazardous condition.
6. HOUSEHOLD HAZARDOUS WASTES means waste generated from a clandestine drug lab. Such wastes shall be treated, stored, transported or disposed of in a manner consistent with all federal, state and local regulations.
7. MANUFACTURE means the production, cultivation, quality control, and standardization, by mechanical, physical, chemical or pharmaceutical means, packing repacking, tableting, encapsulation, labeling, relabeling, filling, or by other process, of controlled substances. This does not include manufacturing which occurs in a pharmacy or a licensed pharmaceutical manufacturing facility.
8. OWNER means any person, firm or corporation who along or jointly or severally with others has legal title to any land, buildings, or structures

associated with a clandestine drug lab site or chemical dumpsite, with or without accompanying actual possession thereof. Owner also includes vendor or vendee under a land contract, whether recorded or not, or the executor, executrix, administrator, Administratrix, trustee, or guardian of the estate of either the person with legal title or the land contract vendor or vendee.

B. NOTICE AND ORDER TO OWNER

Where a law enforcement officer determines that an emergency condition caused by hazardous conditions associated with a clandestine drug lab site or chemical dumpsite exists, the Village may dismantle and dispose of drug processing apparatus and/or chemicals. Upon identification of such emergency condition, a law enforcement officer or other representative of the Village shall serve written notice to the owner, agent, lessee, occupant, tenant or other person in charge of the premises that an emergency condition exists and ordering that the cost of abating the emergency condition be paid to the Village. The Notice and Order shall be served by personal service to both an occupant of the property and the owner of the property, or if personal service is not accomplished, then by posting in a conspicuous location at the property affected and mailing, by regular mail, to the address of the affected property if there is a dwelling thereon and to the property owner at the location to which the Auditor mails the tax bill for the property affected.

C. REQUEST FOR HEARING

Any person affected by any Notice and Order to pay the cost of abating an emergency condition may request and shall be granted a Hearing on the matter before the Mayor of the Village or his/her designee. The person shall file, in the office of the Mayor a written request for a Hearing and shall set forth the name, address and phone number of the appellant and a brief statement of the grounds for the Hearing and appeal from the Notice and Order to pay the cost of abating the emergency condition. Requests must be filed within seven (7) days after the Notice and Order is personally served, mailed or posted, whichever occurs first and shall be accompanied by a non-refundable deposit of fifteen dollars (\$15.00).

1. On receipt of the Request for Hearing, the Mayor or his designee shall set a time and place for a hearing. Written notice of the hearing shall be sent by regular mail to the address provided by appellant in the **Request for Hearing**. The Hearing shall be held within a reasonable time after a request has been filed.
2. At the Hearing, the appellant shall be given an opportunity to be heard and to show cause why the Notice and Order should be modified or dismissed. The failure of the appellant or his/her representative to appear and present his position at the hearing shall be grounds for dismissal of the request.

3. Upon consideration of the evidence presented at the hearing, the Mayor or his/her designee may affirm, disaffirm, modify or dismiss the Notice and Order. The appellant shall be notified forthwith in writing of the decision.
4. Any person aggrieved by the decision of the Mayor of his/her designee may seek Court review of the decision pursuant to the Ohio Revised Code.

D. EXPENSES AND LIEN

All expenses incurred to remedy the emergency condition by the Village together with an administrative charge and/or fine, as described below, shall be reported to the Clerk/Treasurer or Fiscal Officer of the Village who shall mail a statement thereof to the owner of the property, if his address is known. If after thirty (30) days, the amount remains unpaid, the Fiscal Officer shall certify the total amount of the expense, the name of the owner of the land, and a sufficient description of the premises, to the Auditor of the County, to be entered upon the tax duplicate, to be a lien on the land to be collected as other taxes and assessments and returned to the Village pursuant to R.C. §731.54. In addition to the actual expenses described above, the owner of the premises must pay an administrative charge to be set by Village Council.

IV. GRASS, WEEDS, TREES

A. Excessive Growth

ORDINANCE NO. 2000-08

Regulates excessive plant growth and provides for cutting and collection of costs

SECTION I: The following is adopted by the Village of Gloria Glens Park, Medina County, Ohio:

A. PROHIBITED GROWTH

No grass, weeds, underbrush or other plant growth shall be permitted on any lot within the Village in a height in excess of eight (8) inches. Any such vegetative growth is hereby declared to be a public nuisance subject to abatement by action of the Village. Prohibitive plant growth hereunder shall not include trees, ornamental shrubs, cultivated flowers or gardens.

B. NOTICE TO CUT

Upon notice to the Village that vegetative growth on a lot within the Village exceeds the limitations set forth in the preceding paragraph, the Mayor, Zoning Inspector or any law enforcement officer acting on behalf of the Village shall cause notice to be given to the owner, agent, tenant, or other occupant having charge of such land that the same must be cut and removed from the lot within seven (7) days after the date of service of the notice. The notice may be served by any of the following methods: Sending the same by Certified U.S. Mail to such owner, agent, tenant, or occupant, personal delivery of the notice to such party, or, in the event the party cannot be located, by publishing notice once in a newspaper of general circulation in the Village, or posting the property with a notice by affixing the notice to a building, stake, tree or fence located on the property.

C. FAILURE TO CUT

If the owner, agent, tenant or other occupant having charge of such land fails to comply within seven (7) days of the date of service of such notice as provided herein, the Village may cause the vegetative growth to be cut and removed from the lot and may employ or contract for the necessary labor to perform such work or cause it to be done by an appropriate Village employee.

D. COLLECTION OF COSTS

All expenses incurred for cutting and removing such vegetative growth together with an administrative charge of One Hundred Dollars (\$100.00) shall be billed to the owner, agent, tenant, or other occupant having charge of such land at such party's last known address. If, after thirty (30) days, such amount remains unpaid, the Mayor shall certify the total amount of the expenses and administrative charge, the name(s) of the owner of the land and a sufficient description of the premises to the Medina County Auditor, so that the same may be entered on a tax duplicate and be a lien on the land from the date of entry and

collected in the same manner as other taxes and assessments and returned to the Village pursuant to Sections 715.261 and 731.54 of the Ohio Revised Code.

E. PENALTIES

Violation of Paragraph A of this Ordinance shall be a minor misdemeanor. Each day's continuation of such violation may be considered a separate offense.

SECTION II: Section 310(A) of the Village Zoning Ordinance, Number 1988-3, is hereby repealed.

B. Nuisance

ORDINANCE NO. 1998-003

Certain conditions in connection with trees, plants, and shrubs to be nuisances.

NUISANCES IN CONNECTION WITH TREES, PLANTS AND SHRUBS

- A. The following acts, things and conditions done or existing within this Village are declared to constitute nuisances:
 - 1. Any tree upon any street or public place or so near thereto as to permit the roots of the tree to penetrate through or to disrupt the surface of the roadway or berm.
 - 2. Any tree, plant or shrub, wherever located within the Village, infected with any parasite, insect, fungus or pest, which may be communicated to any other tree, plant or shrub.
 - 3. Any tree which has fallen or is in such condition as is likely to fall on any public or private property, including the property upon which it is situated.
 - 4. Any tree, plant or shrub, including existing hedges, whose branches or trunk obstruct or impede traffic or visibility on any street or public place, branches surface thereof shall be deemed prima-facie to obstruct or impede traffic thereon.

- B. Whenever in the opinion of the Zoning Inspector any of the nuisances defined in this Ordinance exists, the Zoning Inspector shall notify the owner of the property on which said nuisance is located by written notice to abate the nuisance within the time period stated in the notice by the Zoning Inspector.

- C. If the property owner fails to abate and correct the nuisance within the time period prescribed by the Zoning Inspector pursuant to the notice, the Zoning Inspector shall cause the same to be corrected and abated at the Village's expense and bill such amount to the property owner. If payment is not made by the property owner of such expense within thirty (30) days thereof, the Zoning Inspector shall certify the same as a lien to the Medina County Auditor on behalf of the Village of Gloria Glens so that the cost shall be payable on the tax bill of the owner.

V. NOISE

ORDINANCE NO. 1998-005

Prohibiting use of unreasonable sound amplifying devices

USING UNREASONABLE SOUND AMPLIFYING DEVICES.

- (a) No person shall generate or permit to be generated unreasonable noise or loud sound which is likely to cause inconvenience or annoyance to persons of ordinary sensibilities by means of a radio, phonograph, television, tape player, compact disc player, loud speaker or any other sound amplifying device or by a horn, drum, piano or other musical or percussion instrument.

It is prima facie unlawful for a person to generate or permit to be generated sound by the above described devices or instruments in the following circumstances:

- (1) On private property between the hours of 11:00 p.m. and 8:00 a. m. where the sound is audible more than sixty (60) feet from the source of the sound; or
 - (2) On a street, highway in the public right of way or any public or private property used by the public for purposes of vehicular travel or parking in this Municipality, where the sound is audible sixty (60) feet from the device generating the sound. Persons in possession of a current permit or activities of a school are exempt from the provisions of this subparagraph.
- (b) No person, being the owner, or person in possession of a premises or person in control of the premises by reason of employment, agency or otherwise whether such ownership, possession or control is exclusive or joint, shall permit a violation of this section.
- (c) Warning and alarm devices which have the purpose of signaling unsafe or dangerous situations or calling for police are exempted from the prohibitions of this section when used for such purposes.
- (d) Whoever violates this section is guilty of using unreasonable sound amplifying devices, a minor misdemeanor, except that if the offender persists in this violation after reasonable warning or request to desist, using unreasonable sound amplifying devices is a misdemeanor of the fourth degree.

V. PARKING

A. Non-Auto

ORDINANCE NO. 1996-8

[Amends Ord. No. 1990-4 regulating parking of vehicles other than automobiles.]

PARKING OF VEHICLES OTHER THAN AUTOMOBILES WITH THE VILLAGE

The following vehicles or trailers may not be parked upon any of the streets within the Village, or upon any property within the Village, including Village property, except during loading and unloading of the vehicle or trailer:

1. Trucks, other than pick-up trucks or vans.
2. Buses
3. Commercial trailers
4. tractor-trailers

No mobile home, house trailer, recreational vehicle, camper or other vehicle may be used as a residence or overnight accommodation.

No utility services including electric, sewer or water, may be connected to a mobile home, house trailer or recreational vehicle parked in the Village except for loading and unloading of the same.

Whoever violates any provision of this Ordinance shall be guilty of a minor misdemeanor and subject to a fine of not more than \$100.00. For purposes of violations of this Ordinance, each day that such offense continues may constitute a separate offense.

B. Violations and Fines

ORDINANCE NO. 2008-01

Regulates parking and Schedule of fines

SECTION I: Pursuant to Ohio Revised Code §4521.02(A) Village Council hereby specifies that violations of all regulatory Ordinances governing parking within the territorial limits of the Village of Gloria Glens Park shall not be considered criminal offenses, that a person who commits violation of any of the following Ordinances shall not be arrested as a result of the commission of the violation, and that such violations shall be handled according to the provisions of Chapter 4521 of the Ohio Revised Code.

SECTION II: Pursuant to §4521.02(A) and (C) of the Ohio Revised Code, the following schedule of fines for violation of the foregoing Parking Ordinances in the Village is hereby established:

A. If sent to the Traffic Violations Bureau and postmarked no later than two (2) business days after the date of the offense: \$ 20.00; and

B. If paid or postmarked more than two (2) business days after the date of the offense:
\$ 30.00.

SECTION III: Pursuant to §4521.02(B) of the Ohio Revised Code, any vehicle found standing or parked in violation of the foregoing Ordinances regulating parking within the Village may be impounded or immobilized as provided by law.

VII. PARKS AND RECREATION

A. Age Limits

ORDINANCE NO. 1996-06

Imposes age limit for use of Kiddie Park

Section I: Use of the "Kiddie Park" in the Village containing the wooden jungle gym located in the northwest corner of the Village basketball court/tennis court area shall hereby be restricted to minors of the age of twelve (12) years and under.

Section II: Violation of this Ordinance shall be a minor misdemeanor for the first offense and a misdemeanor of the fourth degree for any subsequent offense.

B. Curfew

ORDINANCE NO. 1995-5

Curfew for minors [*Amends Ord. No. 1982-5*]

SECTION 1: That Ordinance No. 1982-5 of the Village of Gloria Glens, Ohio, shall be amended and replaced by the following, relative to establishing a curfew:

CURFEW FOR MINORS

(A) Definitions For the purpose of this ordinance, the following terms, phrases, words or their derivations, have the meanings given herein:

- (1) "Minor" means any person less than eighteen (18) years of age.
- (2) "Parent" means any person having legal custody of a minor;
 - a. As a natural or adoptive parent, or
 - b. As a legal guardian, or
 - c. As a person to whom legal custody has been given by court order.

(3) "Public place" means any street, highway, alley or right-of-way, to include sidewalks; any park, playground, ground, place or building open to the public, including parking lots and other areas adjacent thereto; and any vacant lot or land or, without the consent of the owner, any private property.

(4) "Time of night" referred to herein, is based upon the prevailing standard of time, generally observed at that hour by the public in the Municipality.

(5) "Year of age" continues from one birthday, such as the seventeenth to, but not including the date of the next, such as the eighteenth birthday, making it clear that seventeen or less years of age is herein treated as equivalent to the phrase "under eighteen years of age".

(B) Curfew Hours: No minor shall be in or upon any public place between 11 :00 p.m. and 5:30 a.m.

(C) Penalty for Minor: Any minor violating the provisions of this section shall be guilty of curfew violation, a minor misdemeanor for the first offense. If the offender has been previously convicted of curfew violation, all subsequent violations of this ordinance are a misdemeanor of the fourth degree.

(D) Adult Responsibility:

(1)(a) No parent having legal custody of a minor shall knowingly permit, or by inefficient control allow such minor to be in or upon any public place under circumstances not constituting an exception to, or otherwise beyond the scope of this chapter. "Knowingly" includes knowledge which a parent should reasonably be expected to have concerning the whereabouts of a minor in that parent's legal custody. It is intended to continue to keep neglectful or careless parents up to a reasonable community standard of parental responsibility through an objective test. It shall, a fortiori, be no defense that a parent was completely indifferent to the activities or conduct or whereabouts of such minor.

(1)(b) It shall be an affirmative defense to this section that such parent has within thirty (30) days preceding the alleged violation, filed or caused to be filed, a complaint against such minor under Ohio Revised Code 2151.27.

(2) No responsible adult person eighteen years of age or older shall be in the company of any minor under the age of eighteen in or upon any public place during the hours specified in Section (B) hereof unless such adult has permission from such minor's parent to be in the company of said minor during such hours.

(E) Penalty for Adult. An adult who violates this section is guilty of a minor misdemeanor for the first offense and a misdemeanor of the fourth degree for each subsequent offense. These charges may be filed in either the Village Mayor's Court, Wadsworth Municipal Court, or Medina County Juvenile Court, at the Village's discretion.

(F) Exceptions: In the following exceptional cases it shall be a defense, and a minor in or upon a public place during the nocturnal hours for which this Ordinance is intended to provide the maximum limits of regulation, shall not be considered in violation of this chapter:

1. When accompanied by a parent of such minor.
2. When accompanied by an adult authorized by a parent of such minor to take the parent's place in accompanying the minor for a designated period of time and purpose within a specified area.

3. When exercising First Amendment rights protected by the United States Constitution, such as the free exercise of religion and freedom of speech.

4. In case of reasonable necessity after such minor's parent has communicated to the Mayor or police officers acting for the Village the facts establishing such reasonable necessity and designating the minor's proposed location, route, purpose, and the period of time the minor will be in or upon a public place.

5. When returning home by a direct route from, and within thirty minutes of, the termination of verifiable employment or participation in an official school or religious activity.

ORDINANCE NO. 1996-12

Establishes time limits and curfew for use of Village grounds and facilities

Section I: Village grounds and facilities will be subject to a time limitation for use and curfew as follows:

- a. The Village Town Hall shall be vacated by 1:00 a.m. each day.
- b. The Village basketball court, tennis court, Kiddie Park, and other recreational facilities on Village Lots NO. 381, 382, and 383, and all Village picnic areas shall close at sunset each day and remain closed until dawn of the following day, every day of the week.
- c. These grounds and facilities are for the use of Village residents only. This restriction does not apply to public meetings in the town hall.

Section II: Any person on such property or using such property for any purpose in violation of these closing and curfew times will be considered in violation of this Ordinance and such violation shall be a minor misdemeanor.

C. Lake Area Access Restrictions; Parking in Lake Access and Southwest Park Areas

ORDINANCE NO. 2009-09

Regulates use of parking lot, beach, playground, park area, island, boat docks and other structures on Village Lot No. 643, amended by Ordinance No. 2014-09 adopted June 4, 2014, amended by Ordinance No. 2017-04 on 11/1/17.

SECTION I: The following restrictions apply to the fenced-off property known as the "beach and playground" on Village Lot No. 643:

- A. Access to these areas is restricted to members of the Gloria Glens Association and their guests provided the guest is with an adult Association member.

B. Any person entering this property who is not a member of the Gloria Glens Association or such a guest may be prosecuted for criminal trespass or other applicable violation of law.

SECTION II: *[Amended by Ordinance No. 2014-09 on 6/4/14]* The following regulations will govern use of the parking lot, park area, island, boat docks and other structures located on Village Lot No. 643 and the Southwest Park Area of the Village known as Lot 646:

A. No parking is allowed in any portion of these areas other than the designated parking lots on the areas.

B. In the parking lots, parking is allowed only if a proper permit is displayed upon the vehicle.

C. Parking violators on the areas may be subject to citation, impoundment, or towing of the vehicle in violation.

Section II of Ordinance No. 2009-09 as amended by Ordinance No. 2014-09 is hereby amended to add the following subsection:

D. Access to all of these areas is restricted to Village residents and their guests, provided that any guest must be accompanied by an adult Village resident while on the property. Any person using this property in violation of these restrictions may be subject to prosecution for criminal trespass and otherwise as provided by law.

E. No trailers of any kind may be parked on the areas governed by this Section II. *[Adopted Ordinance No. 2017-04, 11/1/17]*

SECTION III: The beach, playground, parking lot, park area, island, boat docks and all other structures and landmasses on Village Lot No. 643 are restricted access properties and there is not allowed any public beach access, dock access, lake access, boat access, fishing or parking and anyone using the property in violation of these terms may be subject to prosecution for criminal trespass or otherwise as provided by law.

SECTION IV: The Mayor of the Village shall cause appropriate signs to be erected on the foregoing property providing notice of these restrictions and restrictions.

D. Recreational Properties

ORDINANCE NO. 1996-11

Regulates use of certain Village recreational properties

Section I: The use of Village recreational facilities on Lots NO. 381, 382, and 383 in the Village at the intersection of Playland Parkway, Dawnshire Drive and Lake Roads, shall be restricted to the following:

- a. The tennis court for tennis only
- b. The basketball court for basketball only.
- c. The “Kiddie Park: as set forth in Ordinance No. 1996-06, which Ordinance is not affected or changed by this Ordinance.
- d. These grounds and facilities are for the use of Village residents only.
This restriction does not apply to public meetings in the town hall.

Section II: No rollerblading, bicycling, skateboarding, loitering, or any other activity except as specified in the preceding Section for the tennis court, basketball court and Kiddie Park shall be permitted on the Village recreational areas known as Lots 381, 382, and 383.

Section III: Violation of this Ordinance shall be a minor misdemeanor.

ORDINANCE NO. 2017-05

Permits the serving and consumption of alcohol at Village-sponsored events in the Pavilion and Southwest Park area in the Village under restricted conditions.

SECTION I: For up to three (3) events each calendar year, the Village shall permit the serving and consumption of alcohol in the Pavilion and South West Park portion of the Village providing that all of the following conditions are met:

- 1. The events are sponsored by Village Council or the Gloria Glens Association.
- 2. The events are private and limited to Village residents and/or members of the Association and their guests.
- 3. No alcoholic beverages may be sold during such events.
- 4. The area in which the event is held shall be marked off by some visible and adequate means so that the area is contained with limited entrance and exit locations.
- 5. Alcohol serving and consumption shall be limited to such area set up and restricted as provided herein.
- 6. There will be sufficient posting at the entrance and exit to the limited area stating that the serving and consumption of alcoholic beverages is only permitted in the limited area and if alcoholic beverages are transported outside the limited area anyone doing so may be subject to charges for open container and other applicable ordinances of the Village and statutes of the State of Ohio.
- 7. All such events will be approved in advance by Village Council.

VIII. STREETS

A. Site Restoration

ORDINANCE NO. 1993-5

Requirements for site restoration for any excavating work on streets or roadways

Section I: In all cases where a contractor or other party performs excavating or placing obstacles within the limits of a street or roadway in the Village of Gloria Glens, the specific requirements for site restoration as listed on Exhibit A entitled "Site Restoration", which is attached hereto and incorporated herein shall apply and every contractor or other party performing such work upon streets or roadways in the Village of Gloria Glens shall follow and comply with these regulations for restoration of the work site after any such work is done.

1. GENERAL

In all cases where a contractor or other party is performing excavating or placing obstacles within the limits of a street or roadway in the Village of Gloria Glens, Medina County, Ohio, it shall be the responsibility of the contractor to restore the disturbed area to a condition equal to or better than it was originally.

All mailboxes, signs, yards, driveways, roads, drainage structures, fences, ditches, and sidewalks damaged or removed during construction will be replaced or repaired by the contractor, equal to or better than existed prior to construction, as soon as possible.

After any pipes, conduits, drains or other underground structures are laid or any excavation is made within the limits of the street or roadway, the trenches or openings shall be properly backfilled with suitable material.

2. OPEN CUT

Approved excavations made within the traveled portion of the street or roadway, in the berm within four feet (4') of the pavement edge, and within four feet (4') or less of the inside edge of the trench, in street intersections or in driveways, shall be backfilled with granular materials.

Where work performed requires removal of the pavement, the surface shall be cut with a masonry saw to a depth of three inches (3") or as required to provide a clean break. The width of the trench shall be a minimum of twelve inches (12") or one (1) pipe diameter plus eight inches (8"), whichever is greater.

The contractor shall maintain one-way traffic during times of construction by using steel plates to cover the trench.

3. BACKFILL MATERIAL

Excavating that requires a granular backfill material may be filled by "free dumping" No. 67 Limestone (see Item 703 Aggregate, State of Ohio, Department of Transportation, Construction and Material Specifications) both under the road surface and in the berm

areas. The No. 67 Limestone shall be brought up to within eighteen inches (18" of finished grade. The remainder of the excavation shall be backfilled with Item 30, Aggregate Base, in layers not to exceed six inches (6"), loose measurement. Each layer shall be tamped or rolled. If layers cannot be tamped or rolled, a No. 57 (K-Crete) should be used, or the area should be backfilled. In addition, where the road surface was removed for construction, the surface shall be replaced with either asphaltic concrete (Item 404) or high-early-strength concrete. The surface thicknesses shall be a minimum of eight inches (8") and shall be finished to the same grade as the existing road surface. Adequate precautions shall be taken to prevent the concrete from freezing. Any concrete that fails within ninety (90) days after project completion, shall be replaced by the contractor, or on his failure to act, by utilization of his maintenance bond. The contractor shall protect the restored area by using steel plates until such time as normal traffic can proceed without causing damage to the roadway surface. Driveways and drainage ditches that have been disturbed shall have a top layer of material comparable to that which was removed.

4. TIME PERIOD FOR COMPLETION OF RESTORATION

- a. All restoration within the right-of-way must be completed within ninety (90) days after completion of the work performed within the right-of-way. If conditions prohibit restoration to be performed within the ninety (90) day time period, an extension of time may be granted at the discretion of the Village.
- b. If restoration is not completed within the approved time period, the required work will be performed by the Village. All costs incurred for labor and materials to perform the restoration will be billed to the contractor for payment.
- c. Failure to pay all amounts charged for restoration performed by the Village will result in the amount being deducted from the performance guarantee furnished or forfeiture of the performance guarantee.

B. Stop Signs

ORDINANCE NO. 1988-4

Regulate traffic and establish stop signs

Section I: Stop signs shall be establish and installed regulating eastbound and westbound traffic on Beau Bay Boulevard at its intersection with Demi-Dune Drive, and eastbound and westbound traffic on Beau Bay Boulevard shall be required to stop at that intersection.

IX. VEHICLES

A. Aircraft and Commercial

ORDINANCE NO. 1990-3

Regulates the keeping and storage of aircraft, aircraft parts, and other commercial vehicles and equipment.

(A) The following items of equipment, vehicles, or parts thereof, shall not be kept or maintained in the open within the limits of the Village of Gloria Glens Park:

1. Aircraft, aircraft motors, aircraft fuselages, or any parts of aircrafts.
2. Bulldozers.
3. Backhoes.
4. Tractors.
5. Dump trucks.
6. Any other commercial excavating or landscaping equipment which is self-propelled or designed to be towed behind a self-propelled item of equipment.
7. Self-propelled farming equipment or implements, or any farming equipment or implements which are designed to be propelled by a self-propelled vehicle or item of farming equipment.

(B) If any of the foregoing items of equipment are maintained within the limits of the Village of Gloria Glens Park, the same shall be maintained within an enclosed locked structure.

(C) Whoever violates any provision of this Ordinance shall be guilty of a minor misdemeanor and subject to a fine of not more than \$100:00. For purposes of violations of this Ordinances, each day that such an offense continues may constitute a separate offense.

SECTION II: It is hereby declared to be the legislative intent of the Council of the Village of Gloria Glens Park that if any item listed or piece of equipment identified within this Ordinance, or any provision of this Ordinance is declared to be invalid and ineffective by any court of competent jurisdiction or to be inapplicable to any person or situation, the effect of such decision shall be limited to the provision or provisions which are expressly stated in the decision to be invalid or ineffective, and all other provisions of this Ordinance shall continue to be separate and fully effective.

B. Storage of Motor Vehicles and Parts

ORDINANCE NO. 2001-09

Regulates storage of motor vehicles

[Amends Ordinance No. 1992-3 and 2000-06

SECTION I: Ordinance No. 1992-3 and Ordinance No. 2000-06 amending it and setting forth Section 660.07 of the General Offenses Code of the Village are hereby amended and superceded so that Section 660.07 of said Code shall be as set forth in Section II of this Ordinance.

SECTION II: SECTION 660.07 STORAGE OF MOTOR VEHICLES:

(A) DEFINITIONS:

For the purpose of this Ordinance the following definitions are hereby established:

1. "Motor Vehicle" means any vehicle, including manufactured homes and recreational vehicles, propelled or drawn by power other than muscular power, other than construction equipment not designed for or employed in general highway transportation, or farm machinery.
2. "Inoperable Motor Vehicle" means any motor vehicle which is unable to move under its own power due to defective or missing parts.
3. "Motor Vehicle Part" means any portion or part of any motor vehicle as detached from the vehicle.
4. "Unsafe Vehicle" means any motor vehicle which does not comply with all safety laws and equipment provisions for motor vehicles found in the Codified Ordinances of the Village of Burbank or requirements of the State of Ohio.
5. "Unlicensed Vehicle" means any motor vehicle which does not display in plain view on the front and rear of such motor vehicle the distinctive number and registration mark, including any county or identification sticker and a current validation sticker issued under Sections 4503.19 and 4503.91 of the Ohio Revised Code.

B. PROHIBITION:

No person, firm or corporation shall park, store or leave or permit the parking or storing of any dismantled, inoperable or unsafe motor vehicle, motor vehicle parts, or unlicensed vehicle, upon any private or public property within the Village of Gloria Glens Park for a period of time in excess of ten (10) days.

C. EXCEPTION:

This Ordinance shall not apply to the storage of motor vehicles or motor vehicle parts which are completely enclosed within a building, fence or other structure which completely obscures the view of said motor vehicles and their parts from view of the general public. Any such building, fence or structure shall be constructed in compliance with applicable building and zoning codes within the Village.

D. NUISANCE:

The accumulation and storage of inoperable motor vehicles, unsafe motor vehicles and motor parts in violation of this Ordinance is hereby declared to be a nuisance, detrimental to the health, safety and welfare of the Village of Gloria Glens Park and its inhabitants.

E. NOTICE OF VIOLATION AND HEARING:

It shall be the duty of the Zoning Inspector, Mayor or any police officer of or acting for the Village of Gloria Glens Park to give notice to the registered owner of the motor vehicle or to the owner or lessee of the private land upon which any unlawfully stored motor vehicle or parts thereof are situated. Such notice may be given by personal service or by certified mail, or by leaving said notice affixed in a prominent place on the property at which such motor vehicle or parts are situated. The notice shall describe the vehicle(s) or parts and shall state that said vehicle(s) or part(s) will be removed and stored at the violator's expense if not properly enclosed or removed in compliance with this Ordinance. The notice shall also state the time and place of a Village Council Meeting at which the recipient of the notice shall have a pre-deprivation hearing before Council and the opportunity to be heard on the question of whether or not this Ordinance has been violated and the motor vehicles or parts should be removed. Council shall thereafter determine by Motion whether or not the motor vehicles and parts shall be removed and the time limit for such removal.

F. REMOVAL BY VILLAGE:

If the motor vehicles or parts have not been removed or enclosed within the limit determined by Village Council pursuant to Subsection E, the Mayor, Zoning Inspector, or any police officer acting for the Village may cause said motor vehicles or parts to be moved and placed in storage at a place designated by the Mayor, at the expense of the owner.

G. COMPLIANCE – UNLICENSED VEHICLES:

The owner of an unlicensed vehicle receiving a notice hereunder who brings a vehicle into compliance by obtaining current registration for it, may mail a copy of the valid registration obtained to the Village to avoid further proceedings hereunder.

H. PENALTY:

Whoever fails to remove or enclose a violating motor vehicle or part hereunder, after notice, hearing and the time limit imposed by Council is guilty of a minor misdemeanor. Each day's continuation thereof may be considered a separate offence.