

Ordinance 12-2014

AN ORDINANCE TO ADOPT A SECTION TO 1272.04 OF THE CODIFIED ORDINANCES REGARDING MOTOR VEHICLE SERVICE AND REPAIR

WHEREAS, the Council enacted Ordinance 05-1989 specifying the Planning and Zoning Code for the Village of Minerva Park ("Village") which, when codified, included 1272.04, Comprehensive Residential and Neighborhood Improvements, as part of Chapter 1272, General Development Standards; and

WHEREAS, the purpose of that section is "the enhancement of the public health, safety, and welfare . . . while at the same time improving the quality, appearance, and most likely, the value of residential property for all residents of the Village;" and

WHEREAS, the Planning and Zoning Commission has recommended that legislation be adopted addressing motor vehicle service and repair;

NOW, THEREFORE, be it ordained by the Council of the Village of Minerva Park, Franklin County, State of Ohio, that:

Section 1. Section 1272.04, Comprehensive Residential and Neighborhood Improvements is hereby amended to include:

(f) Motor Vehicle Repair.

(1) Definitions. For the purposes of this section the following definitions shall have the following specified meanings:

(A) "Major vehicle repair" means any maintenance, repair or replacement not listed in the definition of "minor vehicle repair" in this subsection, including, but not limited to, the removal of engines, rebuilding of engines, repair of the internal components, repair or removal of differentials or axles, dismantling of vehicles, and body work;

(B) "Minor vehicle repair" means maintenance, repair or replacement of the alternator, generator, starter, water pump, battery, brakes or part thereof; minor tune-up (which consists of distributor cap, rotor and spark plug replacement); change of oil and filter, fan belt, or hoses; lamp replacement; repair of flat tires; lubrication; vehicle cleaning such as washing; waxing; detailing.

(2) Motor Vehicle Service and Repair. No person shall perform or conduct any motor vehicle service, work, grade, occupation, or business, including but not limited to the servicing, repairing, assembling, wrecking, modifying, restoring, painting or otherwise working on a motor vehicle as defined by Ohio Revised Code Section 4511.01, or related thereto, on a residential lot or in any private garage.

(A) The performance of major vehicle repair and/or minor motor vehicle repair of the motor vehicle registered to the resident of such lot thereon and shall not constitute a violation of this section providing:

- i. Such major motor vehicle repair must be performed in a fully enclosed structure.
- ii. Such minor motor vehicle repair may be performed outside a fully enclosed structure provided that the total continuous elapsed time

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between the beginning and the end of the repair does not exceed twenty-four hours.

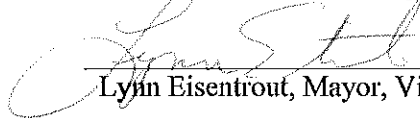
- iii. Such work shall be conducted on no more than one vehicle at any one time and no more than two vehicles within a fourteen-day period.
- iv. Such work shall be done only between the hours of 8 a.m. and 8 p.m.
- v. Such work shall not be done in a public right of way.
- vi. Storage of parts, equipment, or other supplies needed for the repair of the vehicle on the premises must be kept within an enclosed structure or in an area which is screened from public view.
- vii. Upon completion of any work allowed by this section, the property shall be cleaned of all debris, grease, gasoline, cloths, rags, equipment or material used in the work, and shall be left in such a condition that no hazard to persons or property shall remain.
- viii. No such work which creates a nuisance as defined in chapter 1272.07 shall be permitted.

3. Penalty A violation of this section shall be a minor misdemeanor; each subsequent violation shall be a misdemeanor of the fourth degree. A separate offense shall be deemed committed each day during or on which a violation continues or occurs.

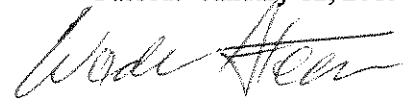
Section 2. It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that any and all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements of the laws of the State of Ohio.

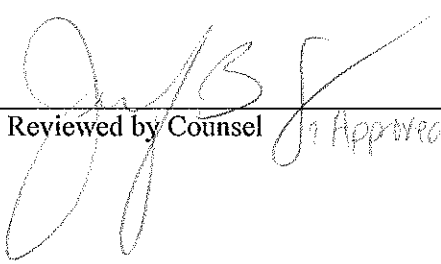
Section 3. All prior legislation, or any parts thereof, which is/are inconsistent with this Ordinance is/are hereby repealed as to the inconsistent parts thereof.

Section 4. This Ordinance shall take effect and be in full force from the earliest period allowed by law.


Lynn Eisentrout, Mayor, Village of Minerva Park

First Reading: September 8, 2014
Second Reading: October 13, 2013
Third Reading: Tabled November 10, 2014
Passed: January 12, 2015


Attest Wade Steen, Fiscal Officer,
Village of Minerva Park


Reviewed by Counsel *In Approved as to the m*