

First Reading: August 12, 2003
Second Reading: September 9, 2003
Third Reading: September 23, 2003

ORDINANCE 22-2003

**AN ORDINANCE REGULATING PARKING OF VEHICLES
ON PUBLIC AND PRIVATE PROPERTY WITHIN THE
LIMITS OF THE VILLAGE OF NEWTOWN**

WHEREAS, the Council of the Village of Newtown has determined that practice of certain citizens within the Village of parking vehicles exceeding the limits set out in this ordinance is detrimental to the public health, safety and welfare of the residents generally of the Village and elsewhere; and

WHEREAS, the Council of the Village of Newtown is desirous of protecting the health, safety and welfare of its citizens;

NOW THEREFORE, BE IT ORDAINED by the Council of the Village of Newtown:

SECTION 1. DEFINITIONS

- A. For purposes of this Ordinance the vehicles regulated by the terms of this Ordinance are those that exceed 21 feet in length or 8 feet in height or 8 feet in width and those that include buses, trucks, house trailers, semi trailers, fifth wheel trailers, park trailers, commercial tractors, motor homes, mobile home trailers, utility trailers, pop-up campers, travel trailers, truck campers, and similar vehicles, as defined in Ohio Revised Code Section 4501.01, and major recreational equipment, which shall include boats, personal watercraft, and trailers to transport boats or personal watercraft.

- B. For purposes of this Ordinance "front yard" means a yard extending the full width of the lot, the depth of which is the minimum horizontal distance between the front lot line and a line parallel thereto on the lot, usually the building line. The front yard shall be measured from the right-of-way line of the existing street on which the lot fronts (the front lot line) to the closest point of a principal building, however, if the proposed location of the right-of-way line of such street as established on the Thoroughfare Plan or on the official map of the Village differs from that of the existing street, then the required front yard least depth shall be measured from the right-of-way line of such street as designated on the Thoroughfare Plan or official map. Corner lots shall have two front yards.

- C. For purposes of this Ordinance "side yard" means a yard extending from the front yard to the rear yard, the width of which is the minimum horizontal distance between the side lot line to the side

of a principal building, and a line parallel thereto on the lot.

- D. For purposes of this Ordinance “rear yard” means a yard extending across the full width of the lot, the depth of which is the minimum distance between the rear lot line to the closest part of a principal building.

SECTION 2. **PARKING AND STORAGE PROHIBITED**

Except as herein otherwise provided, the parking on public streets or in the front yard or side yard of any premises zoned for residential use, or on any vacant lot in an area zoned for residential use, of vehicles defined in Section 1 of this Ordinance, is hereby declared to be a public nuisance and offensive to the public health, welfare and safety of the citizens of this municipality, except as hereinafter provided.

SECTION 3. **PARKING PROHIBITED**

- A. No person in charge or control of any vehicle or other item defined in Section 1 shall park such vehicle on a public street or way within the Village of Newtown, or in the front yard or side yard of premises zoned for residential use within the limits of the Village of Newtown.
- B. No person in charge or control of any vehicle defined in Section 1 shall park such vehicle in a rear yard unless such vehicle is parked on a hard, paved surface, that is not gravel.

SECTION 4. **EXCEPTIONS**

Restrictions as to parking of such vehicles shall not apply in the following situations:

- A. In areas zoned other than residential, except where the specific property is being utilized as a residence.
- B. Vehicles and other items defined in Section 1 of this Ordinance, may be parked for the purpose of loading or unloading for a continuous period not to exceed 24 hours in any five day period on the public streets and ways of the Village, or on private property.
- C. Any such vehicle or other item parked in a fully enclosed building.

SECTION 5. **PENALTY**

Whoever shall violate the provisions of this Ordinance shall be deemed guilty of a minor misdemeanor and upon conviction thereof shall be fined not more than \$100.00 for the first offense; and shall be guilty of a

misdemeanor in the third degree and shall be fined not more than \$500.00 for each subsequent offense. Any such violation shall constitute a separate offense on each successive day continued.

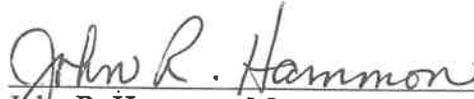
SECTION 6.

This Ordinance is hereby declared to be an emergency measure, necessary for the preservation of the public peace, health, welfare, and safety of the Village of Newtown. The reason for the emergency is to provide for safe streets and maintain the welfare of the Village.

VOTE RECORD:

Mr. Collins NO Ms. DeVore NO Ms. Hueber YES
Ms. Moore YES Mr. Pulskamp YES Mr. Thomas YES

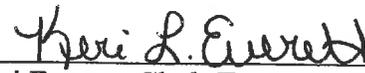
PASSED this 23rd day of September, 2003.



John R. Hammon, Mayor
Village of Newtown, Ohio

AUTHENTICATION

This is to certify that this ordinance was duly passed, and filed with the Village of Newtown Clerk-Treasurer, this 23rd day of September, 2003.



Keri Everett, Clerk-Treasurer
Village of Newtown, Ohio

APPROVED AS TO FORM



R. Douglas Miller, Solicitor
Village of Newtown, Ohio

PROOF OF PUBLICATION

I hereby certify that I have published this Ordinance on November 13, 2003 by posting in five public places as established by the Council of the Village of Newtown, Ohio.