ORDINANCE NUMBER 87-07

BY Robert Wilson - Joyce Holmes

AN ORDINANCE REGULATING THE PLACEMENT AND CONTINUED EXISTENCE OF FENCES, WALLS, HEDGES, AND OTHER VISUAL AND PHYSICAL OBSTRUCTIONS AND REPEALING ORDINANCE # 86-06.

WHEREAS, some visual and physical obstructions are a hazard to the safe operation of vehicular traffic; and

WHEREAS, Section 715.27 of the Ohio Revised Code grants the Village Council the power to regulate the erection of fences and other structures,

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF BUCKEYE LAKE, COUNTY OF LICKING AND STATE OF OHIO, THAT:

Section 1: DEFINITIONS:

LOT - a piece of parcel of land occupied or intended to be occupied by a principal building or a group of such buildings and accessory buildings, utilized for a principal use and uses thereto, and having frontage on a public street.

CORNER LOT - a lot abutting upon two or more streets at their intersection or upon two parts of the same street, such street or parts of the same street forming an interior angle of less than one hundred thirty-five degress. A point of intersection of the street lines is the corner.

FENCE - a enclosure about a field or yard or other space, including a lot, or about any object, especially an enclosing structure of wood, iron, or other material, intended to prevent intrusion from without or straying from within; a visible or tangible obstruction which may be a hedge, wall, trussel, frame of wood, wire, rail, or any line of obstacle interposed between two portions of land so as to part off and shut in the land and set it off as private property or for the purpose of using it separately from adjacent land of the same owner.

STREET LINE - a line separating the outer most part of a street from a lot.

LOT LINE - the lines bounding a lot.

Section 2: PURPOSE:

The purpose of this Ordinance is to make traffic intersections safer for vehicular and pedestrian traffic by requiring the removal of visual obstructions at the intersections and prohibiting the future erection of said obstructions.

Additionally, another purpose is to enable emergency vehicles to have a sufficiently wide turning radius in travelling from street to street.

Section 3: LOCATION OF FENCES, WALLS, HEDGES, AND OTHER VISUAL OBSTRUCTIONS:

Except as hereinafter provided, no person being the owner or possessor of real property shall erect, maintain, allow to continue, or otherwise cause a fence, wall, hedge, or other visual obstruction to be located within six feet of a street line on a lot unless such fence, wall, hedge, or other visual obstruction is less than thirty inches high, measuring upward from grade or street level, whichever is lower.

Section 4:

Chainlink fences and other opaque obstructions which do not obstruct a person's line of sight are exempted from the requirements as set forth in Section 3.

Section 5: OTHER PHYSICAL OBSTRUCTIONS.

No person being the owner or possessor of a corner lot shall erect, maintain, allow to continue, or otherwise cause a fence, wall, hedge or other obstruction to be located within two feet of a street lines which intersect to make such lots a corner lot. This provision is designed to facilitate the turning of emergency vehicles at such locations.

Section 6:

Trees located on a lot within six feet of the street line shall be maintained so as to prohibit the existence of any branches lower than six feet measured from grade or street level, whichever is lower.

Section 7:

Whoever knowingly violates this Ordinance shall be guilty of a minor misdemeanor. Each day of the offense shall constitute a separate offense.

Section 8:

Ordinance Number 86-06 is hereby repealed.

Section 9:

This Ordinance shall go into full force and effect from and after the earliest period allowed by law.

Amended to "declaring an emergency"
Holmes moved Wilson 2nd. - Voll 4-0
Wolpert abstained not

DATED: 10/26/87

Samuel Boyd Britton
MAYOR

ATTEST:

Julianette Yarmon
CLERK/TREASURER

APPROVED AS TO FORM:

LAW DIRECTOR

The undersigned, ... of the Village of Buckeye Lake, Ohio, hereby ... was posted pursuant to Ord. 87-07 ... posted in at least ... 15 ... of Oct, 87 ... day of November 30 87

Julianette Yarmon
CLERK/TREASURER OF THE VILLAGE OF BUCKEYE LAKE, OHIO

ORDINANCE OR RESOLUTION NUMBER: 87-07

INTRODUCED BY: _____

MOTION TO SUSPEND RULES _____ SECOND _____

	AYES	NAYES
Mr. Boyd	----	----
Mrs. Holmes		
Mrs. Motts		
Mr. Schwaetzwalder		
Mr. Wilson		
Mr. Wolverton		
TOTAL:		

MOTION TO ADOPT Wilson SECOND Holmes

	AYES	NAYES
Mr. Boyd	✓	
Mrs. Holmes	✓	
Mrs. Motts	✓	
Mr. Schwartzwalder		
Mr. Wilson	✓	
Mr. Wolverton		✓
TOTAL:	4	1

DATE POSTING BEGAN 10/27/87

EFFECTIVE DATE 10/26/87

CERTIFICATION

I hereby certify the above to be an accurate account of the action of Council on the above matter.