

VILLAGE OF RIO GRANDE, OHIO

ZONING REGULATIONS ORDINANCE 91-5

Passed: June 4, 1991
Effective Date: July 5, 1991

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ZONING REGULATIONS
ORDINANCE 91-5

An Ordinance establishing comprehensive zoning regulations for the Village of Rio Grande, Gallia County, Ohio, and providing for the purpose of promoting public health, safety, morals, comfort, and general welfare, all in accordance with a comprehensive community plan; through the regulation of the use of land and the location, size, and use of buildings and other structures. All current conforming and non-conforming buildings and lands will continue to be used at the present use at the time of adoption of this Ordinance. Any building or land that is altered, vacated or otherwise used than prior to this enactment shall be subject to the regulations contained in this Ordinance.

Ohio enabling legislation for planning and zoning is provided in Chapter 713 of the Ohio Revised Code.

BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF RIO GRANDE, STATE OF OHIO: that

All prior Zoning Ordinances are hereby repealed; and

This Ordinance shall be known and cited as the Zoning Ordinance of Rio Grande; and

That for the purpose of promoting the public health, safety, morals, comfort, and general welfare, conserving the values of property, facilitating the provision of water, sewerage, schools, and other public requirements, and lessening or avoiding congestion on public streets and highways, it is hereby provided as follows:

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CHAPTER 100 CITATION, TERMINOLOGY, AND POWERS

Sec 100 This Ordinance may be cited as the "Zoning Ordinance of Rio Grande, Ohio."

Sec 101 Terminology used in this Ordinance shall be ^{used} as defined in Chapter 1300.

Sec 102 Manner of Exercise of Powers ..

All powers shall be exercised in a manner described in the regulations; or, if not prescribed herein, in such a manner and order prescribed by the Zoning Board, the Village Council, then such powers described by the general Laws of the State of Ohio until such time Village Council shall provide a different manner of exercising such powers.

CHAPTER 200 DISTRICTS

Sec 200 Kinds of Districts

The Village shall be divided into the following Districts:

- 200.01 Residential, designated as "R-1" are established for single family dwellings. Only one (1) dwelling permitted per lot.
- 200.02 Residential, designated as "R-2" are established for single, double, or multiple family residences.
- 200.03 Educational, designated as "E" are established for educational and corollary uses.
- 200.04 Commercial, designated as "C" are established for areas that are appropriate for business to the general community.
- 200.05 Industrial, designated as "I" are for areas for limited, non-nuisance manufacturing, and other uses that are appropriate in a similar location.
- 200.06 Agricultural, designated as "A" are established for land exceeding five (5) acres which is best suited for agriculture or other rural purposes. Agricultural acreage must be contiguous.

Sec 201 Official Zoning Map

Boundaries established by the Zoning Board are shown on the official zoning map of Rio Grande and are made part of this Ordinance, and shall be interpreted as follows:

- (A) The official zoning map shall be identified by the signature of the President of the Village Council attested by the Clerk of the Village Council, and bearing the seal of the Village under the following words: "This is to certify that this is the official zoning map of the Village of Rio Grande, Ohio," together with the date of the adoption of this Ordinance.
- (B) If, in accordance with the provisions of this Ordinance and Chapter 713, Ohio Revised Code, changes are made in district boundaries or other matter portrayed on the official zoning map, such changes shall be entered on the official zoning map promptly after the amendment has been approved by the City Commission, with an entry on the official zoning map indicating the ordinance number and the date of adoption.
- (C) In the event that the official zoning map becomes damaged, destroyed, lost, or difficult to enter part because of the nature or number of changes and additions, the Village Council may by resolution adopt a new official zoning map which shall supersede the prior official zoning map. The new official zoning map may correct drafting or other errors or commissions in the prior official zoning map, but no such correction shall have the effect

of amending the original official zoning map or any subsequent amendment thereof. The new official zoning map shall be identified by the signature of the President of the Village Council, attested by the Clerk of the Village Council, and bearing the seal of the Village under the following words: "This is to certify that the official zoning map supersedes and replaces the official zoning map."

- (D) Unless the prior official zoning map has been lost or has been totally destroyed, the prior map or any significant parts thereof remaining shall be preserved, together with all available records pertaining to its adoption or amendment.
- (E) When a right-of-way is vacated, the districts adjoining each side of said right-of-way are respectively extended to the center of the right-of-way so vacated.
- (F) District boundaries within ten (10) feet of and apparently following lines of lots of record shall be assumed to be following the lot line in question, unless otherwise specified and noted on the official zoning map.
- (G) All notes, dimensions, and other graphics appearing on the official zoning map are hereby declared to be part of this Ordinance.

Sec 202 Boundaries In Dispute

Where uncertainty exists as to the boundaries of districts as shown on the official zoning map, the following rules shall apply:

- (A) Boundaries indicated as approximately following the center lines of streets, highways, or alleys shall be construed to follow such center lines.
- (B) Boundaries indicated as approximately following lot lines shall be construed as following such lot lines.
- (C) Boundaries indicated as approximately following Village limits shall be construed as following such Village limits.
- (D) Boundaries indicated as following shore lines shall be construed to follow such shore lines, and in the event of change in the shore line shall be construed as moving with the actual shore line.
- (E) Boundaries indicated as approximately following the center lines of streams, rivers, canals, lakes, or other bodies of water shall be construed to follow such center lines.
- (F) Boundaries indicated as parallel to or extensions of features indicated in subsections (A) through (E) above shall be so construed. Distances not specifically indicated on the official zoning map shall be determined by the scale of the map.

- (G) Where physical or cultural features existing on the ground are at variance with those shown on the official zoning map, or in other circumstances not covered by subsections (A) through (F) above, the Board of Zoning Appeals shall interpret the district boundaries.
- (H) Where a district boundary line divides a lot which is in single ownership at the time of passage of this Ordinance, the Board of Zoning Appeals may permit, as a special exception, the extension of the regulations for either portion of the lot not to exceed fifty (50) feet beyond the district line into the remaining portion of the lot.

Sec 203 Zoning of Annexed Areas

The owners of township land petitioning annexation to the Village must declare, as part of the petition, a zoning classification for the land to be annexed. The Zoning Board may recommend approval or recommend a different zoning classification according to the use of land and/or zoning classification of the conterminous districts. Such approval and/or recommendation shall be made to the Village Council within thirty (30) days of the receipt of the annexation petition by the Zoning Board. The Village Council shall act on the matter within thirty (30) days from receipt of the Zoning Board recommendation.

Sec 204 Compliance With Regulations

The regulations set by this Ordinance within each district shall be minimum regulations and shall apply uniformly to each class or kind of structure or land except as hereinafter provided:

- 204.01 No building, structure, or land shall hereafter be used or occupied, and no building or structure or part thereof shall hereafter be erected, constructed, reconstructed, moved or structurally altered except in conformity with all of the regulations herein specified for the district in which it is located.
- 204.02 No building or other structure shall hereafter be erected or altered
- (a) to exceed the height or bulk,
 - (b) to occupy a greater percentage of lot area, and
 - (c) to have narrower or smaller rear yards, front yards, side yards, or other open spaces
- than herein required; or in any other manner contrary to the provisions of this Ordinance.
- 204.03 No yard or lot existing at the time of passage of this Ordinance shall be reduced in dimension or area below the minimum requirements set forth herein. Yards or lots created after the effective date of this Ordinance shall meet at least the minimum requirements established by this Ordinance.

Sec 205 Interpretation, Purpose, and Conflict

In interpreting and applying the provisions of this Zoning Ordinance, said provisions shall be held to be the MINIMUM requirements for the promotion of the public safety, health, convenience, comfort, prosperity, and general welfare.

- 205.01 This Ordinance is not intended to interfere with, abrogate, or annul any easements, covenants, or other agreements between parties.
- 205.02 Further, this Ordinance is not to interfere with, abrogate, or annul
- (a) any Village Ordinances in effect other than the Zoning Ordinances repealed hereby; and
 - (b) any State or Federal law that may be in effect which may supersede this Zoning Ordinance.
- 205.03 It is not the intent of this Ordinance to impose a greater restriction upon the use of buildings or land, or upon the height of buildings or larger spaces, lot areas, or floor areas that are required or imposed by current easements, covenants, lot sizes, or agreements between parties.
- 205.04 Should conflict arise in regards to the provisions of this Ordinance and constraints of lot size, floor area, bulk, density, height, easements, agreements, or covenants; such conflict shall be brought to the Zoning Board for resolution.

CHAPTER 300 COMMUNITY DEVELOPMENT PROJECTS - RESIDENTIAL DISTRICTS

- 300.01 Village Ordinance 84-28, passed by Council November 6, 1984, establishes a Village Planning Commission. In accordance with provisions prescribed in this section, all community development projects will be submitted to the Village Planning Commission. This section applies to both Residential and Industrial/Commercial projects.
- 300.02 Any authorized agency of the Village, County, State, or Federal Government or the owner or owners of any tract of land in the Village which comprises more than five (5) acres is required to submit a development plan for the use and development of parts or all of the tract of land. Said plan will be submitted to both the Village Planning Commission and the Village Zoning Board.
- 300.03 The Development Plan shall contain information which addresses the following:
- (A) The plan is consistent with the intent and purposes of zoning laws contained herein.
 - (B) The plan is consistent with the intent and purpose to promote public health, safety, morals, and general welfare.
 - (C) The plan clearly indicates that the use of the land is similar to the uses permitted in the district in which the land is located.
 - (D) The land and/or property adjacent to the area included in the plan will not be adversely affected.
 - (E) In the case of residential use, the lot area is not less than required or consistent with lot sizes in the district; street area excluded.
- 300.04 The development plan, when properly designed and submitted, shall be studied by the Village Planning Commission and Zoning Board. Public hearing will be conducted in accordance to Village law and policies.
- 300.05 Upon completion of Public Hearings and study, the plan will be submitted to Village Council for review, consideration, and action. Approval/disapproval recommendation by the Village Planning Commission and Zoning Board shall be accompanied by a report stating the reasons for approval/disapproval and specific evidence and/or remedies pertaining thereto.
- 300.06 If the plan is approved by the Village Council, Zoning Board, and Village Planning Commission; a zoning certificate and appropriate permits may be issued.
- 300.07 If the plan is disapproved, the plan may be re-submitted with corrective remedies.

300.08 In no case or under any circumstances can a development plan be implemented until approval is granted and appropriate certificates/permits are issued.

300.09 If after twelve (12) months no construction has started, and if within three (3) years the development has not been completed, all permits, certificates shall be declared null and void and the area involved shall revert back to the original district.

CHAPTER 400 COMMUNITY DEVELOPMENT PROJECTS - INDUSTRIAL/COMMERCIAL
DISTRICTS

- 400.01 Village Ordinance 84-28, passed by Council November 6, 1984, establishes a Village Planning Commission. In accordance with provisions prescribed in this section, all community development projects will be submitted to the Village Planning Commission. This section applies to both Residential and Industrial/Commercial projects.
- 400.02 Any authorized agency of the Village, County, State, or Federal Government or the owner or owners of any tract of land in the Village which comprises more than five (5) acres is required to submit a development plan for the use and development of parts or all of the tract of land. Said plan will be submitted to both the Village Planning Commission and the Village Zoning Board.
- 400.03 The Development Plan shall contain information which addresses the following:
- (A) The plan is consistent with the intent and purposes of zoning laws contained herein.
 - (B) The plan is consistent with the intent and purpose to promote public health, safety, morals, and general welfare.
 - (C) The plan clearly indicates that the use of the land is similar to the uses permitted in the district in which the land is located.
 - (D) The land and/or property adjacent to the area included in the plan will not be adversely affected.
- 400.04 The development plan, when properly designed and submitted, shall be studied by the Village Planning Commission and Zoning Board. Public hearing will be conducted in accordance to Village law and policies.
- 400.05 Upon completion of Public Hearings and study, the plan will be submitted to Village Council for review, consideration and action. Approval/disapproval recommendation by the Village Planning Commission and Zoning Board shall be accompanied by a report stating the reasons for approval/disapproval and specific evidence and/or remedies pertaining thereto.
- 400.06 If the plan is approved by the Village Council, Zoning Board, and Village Planning Commission; a zoning certificate and appropriate permits may be issued.
- 400.07 If the plan is disapproved, the plan may be re-submitted with corrective remedies.
- 400.08 In no case or under any circumstances can a development plan be implemented until approval is granted and appropriate certificates/permits are issued.

- 400.09 If after twelve (12) months no construction has started, and if within three (3) years the Development has not been completed, all permits, certificates shall be declared null and void and the area involved shall revert back to the original district.
- 400.10 In addition to the regulations listed herein, all industrial and commercial activities conducted within the approved districts in the Village of Rio Grande shall be subject to the provisions and regulations of Federal, State, and Local laws currently in effect. Current and appropriate Federal, State, and Local licenses and permits shall be required; copies of permits, licenses (temporary and/or permanent), inspector certificates, operation certificates, and similar permits shall be submitted to the Zoning Board.
- 400.11 Results/reports of periodic inspection by Federal, State, or Local agencies shall be forwarded to the Zoning Board for their review.

CHAPTER 500 COMMUNITY DEVELOPMENT PROJECTS - EDUCATIONAL

- 500.01 Village Ordinance 84-28, passed by Council November 6, 1984, establishes a Village Planning Commission. In accordance with provisions prescribed in this section, all community development projects will be submitted to the Village Planning Commission. This section applies to both Residential, Industrial/Commercial, and Educational projects.
- 500.02 Any authorized agency of the Village, County, State, or Federal Government or the owner or owners of any tract of land in the Village which comprises more than five (5) acres is required to submit a development plan for the use and development of parts or all of the tract of land. Said plan will be submitted to both the Village Planning Commission and the Village Zoning Board.
- 500.03 The Development Plan shall contain information which addresses the following:
- (A) The plan is consistent with the intent and purposes of zoning laws contained herein.
 - (B) The plan is consistent with the intent and purpose to promote public health, safety, morals, and general welfare.
 - (C) The plan clearly indicates that the use of the land is similar to the uses permitted in the district in which the land is located.
 - (D) The land and/or property adjacent to the area included in the plan will not be adversely affected.
- 500.04 The development plan, when properly designed and submitted, shall be studied by the Village Planning Commission and Zoning Board. Public hearing will be conducted in accordance to Village law and policies.
- 500.05 Upon completion of Public Hearings and study, the plan will be submitted to Village Council for review, consideration and action. Approval/disapproval recommendation by the Village Planning Commission and Zoning Board shall be accompanied by a report stating the reasons for approval/disapproval and specific evidence and/or remedies pertaining thereto.
- 500.06 If the plan is approved by the Village Council, Zoning Board, and Village Planning Commission; a zoning certificate and appropriate permits may be issued.
- 500.07 If the plan is disapproved, the plan may be re-submitted with corrective remedies.
- 500.08 In no case or under any circumstances can a development plan be implemented until approval is granted and appropriate certificates/permits are issued.

- 500.09 If after twelve (12) months no construction has started, and if within three (3) years the Development has not been completed, all permits, certificates shall be declared null and void and the area involved shall revert back to the original district.
- 500.10 In addition to the regulations listed herein, all educational and corollary activities conducted within the approved districts in the Village of Rio Grande shall be subject to the provisions and regulations of Federal, State, and Local laws currently in effect. Current and appropriate Federal, State, and Local licenses and permits shall be required; copies of permits, licenses (temporary and/or permanent), inspector certificates, operation certificates, and similar permits shall be submitted to the Zoning Board.
- 500.11 Results/reports of periodic inspection by Federal, State, or Local agencies shall be forwarded to the Zoning Board for their review.

CHAPTER 600 MOBILE HOMES, SECTIONAL/MODULAR HOMES, TRAILERS,
CAMPER/RECREATIONAL VEHICLES, BOATS

Sec 600 Mobile Homes (Restatement and Amendments to ORD 78-10)

- 600.01 No mobile home, trailer, or similar portable residence structure shall be permitted to locate in the municipality. However, any mobile home already in place may be replaced on the same lot if done so within thirty (30) days.
- 600.02 All owners of mobile homes or owners of land on which a mobile home was in place prior to the enactment of Ordinance 78-10 (Zoning Ordinance) shall file on a form provided by the Zoning Board, a request for a permit for said mobile home to be located in the Village of Rio Grande. No request for a permit shall be denied if the Zoning Board finds the location of said mobile home to be in compliance with this Ordinance.
- 600.03 Request for a permit must be filed no later than September 1, 1978. A new permit must be filed for every time a mobile home is moved, replaced, disconnected, or hooked-up/installed in place.
- 600.04 Failure to request a permit as set forth herein shall result in the forfeiture of the right to keep and/or replace a mobile home on the same lot.

Sec 601 Modular/Sectional Homes

- 601.01 Modular/sectional homes are defined as single family dwelling units which are constructed off-site in two (2) or more sections or modules and are transported to a permanent location to be assembled.
- 601.02 Modular/sectional homes are permitted in R-1 and R-2 districts provided:
- (A) such dwellings are intended for single family occupancy;
 - (B) such dwellings meet floor area, height, bulk, lot coverage requirements as stated in this Zoning Ordinance;
 - (C) such dwellings meet all other applicable requirements as set forth in this Ordinance;
 - (D) such dwellings shall be permanently placed on a full basement, slab, or a similar permanent base;
 - (E) the exterior and style of modular/sectional home shall conform to exterior and style of at least seventy-five percent (75%) of the existing structures in the area in which it is placed e.g. brick, siding [exteriors]; colonial, ranch [style]; etc.).
- 601.03 Individuals and/or organizations intending to erect or place a modular/sectional home shall notify the Zoning Board of their intention.

Sec 602 Parking/Storage of Mobile Homes, Trailers, Camper/Recreation Vehicles and Boats

- 602.01 The parking of a mobile home, trailer, camper/recreational vehicle, boat, or any similar portable structure in a residential district longer than seventy-two (72) hours is prohibited.
- 602.02 The parking of a mobile home, trailer, camper/recreational vehicle, boat, or any similar portable structure may be parked for less than seventy-two (72) hours provided there is no obstruction of vehicular and pedestrian traffic on streets, highways, sidewalks, or residential and business ingress or egress.
- 602.03 The parking of recreation vehicle/camper, trailers, boats, or any similar portable vehicle for seventy-two (72) hours or longer shall be prohibited except:
- (A) that above described vehicles be in an enclosed garage/ accessory building; or,
 - (B) parked/stored no closer than five (5) feet to the side or rear lot lines where it is stored; or,
 - (C) parked/stored no less than sixty (60) feet from the center of the nearest street.
- 602.04 Parking/storing of described vehicles and conditions stated in Section 602.03 previous shall be allowed provided in all cases that:
- (A) no living quarters shall be used or maintained in, on, or around said vehicles; and
 - (B) no business is conducted from or within said vehicles; and
 - (C) said vehicles are intended and used solely for the recreational benefit and enjoyment of the resident occupant of the property where the vehicle is stored or parked.

TABLE I

SCHEDULE OF REGULATIONS

(LIMITING HEIGHT, BULK, DENSITY, SETBACKS, AND AREA BY DISTRICT)

DISTRICT	MINIMUM LOT AREA IN SQUARE FEET	MINIMUM LOT WIDTH PER UNIT IN FEET	MAXIMUM HEIGHT OF BUILDING IN FEET	MINIMUM YARD SETBACK (PER LOT IN FEET)			MAXIMUM BLDG. COVERAGE PER LOT IN PERCENT	MAXIMUM NON-RESIDENTIAL COVERAGE PER LOT AREA IN PERCENT
				FRONT YARD	EACH SIDE YARD	REAR YARD		
R-1	10,000	100	40	40	10	20	25	NA
R-2	7,500	65	45	35	10	20	30	NA
COMMERCIAL	8,000 6,000	80 60	50	25 35	12	15	40	60
INDUSTRIAL	*	*	70	35	*	15	**	75
EDUCATIONAL	*	*	70	*	20	20	***	75

* AS APPROVED BY DEVELOPMENT PLAN

** DWELLING UNITS NOT PERMITTED

*** SINGLE FAMILY DWELLING UNITS NOT PERMITTED

TABLE II
SCHEDULE OF REGULATIONS
(LIMITING MINIMUM FLOOR AREA PER EACH FAMILY UNIT)

DISTRICT	SINGLE FAMILY TWO FAMILY	EFFICIENCY	ONE BEDROOM UNIT	TWO BEDROOM UNIT	THREE OR MORE BEDROOM UNITS
R-1	1,200 SQ. FT. SINGLE FAMILY ONLY	NA	NA	NA	NA
R-2	1,200 SQ. FT. SINGLE FAMILY 1,000 SQ. FT. TWO FAMILY	600 SQ. FT.	700 SQ. FT.	800 SQ. FT.	1,000 SQ. FT.
COMMERCIAL	NA	600 SQ. FT.	700 SQ. FT.	800 SQ. FT.	1,000 SQ. FT.
INDUSTRIAL	NA	NA	NA	NA	NA
EDUCATIONAL	NA	NA	NA	NA	NA

CHAPTER 700 GENERAL PROVISIONS - ALL DISTRICTS

Sec 701 Lot and Yard Requirements

- 701.01 Lot and Yard Requirements are established by the dimensions listed in Table I.
- 701.02 A lot on which a structure is used, or intended to be used for residential purposes, shall hereafter meet the minimum lot areas described in Table I. No lot used for such purpose shall have a total area of less than six thousand (6,000) square feet.

Sec 702 Floor Area Requirements

- 702.01 Floor Area Requirements are established by the dimensions listed in Table II.
- 702.02 The floor area per family in dwellings erected on any lot shall not be less than those established by Table II.
- 702.03 In determining floor area, only area used for living quarters shall be counted. Utility rooms, garages, laundry rooms, and basements are to be excluded.

Sec 703 Setback Requirements

- 703.01 The minimum depth of front yards is described in Table I.
- 703.02 The minimum width of side yards is established in Table I.
- 703.03 Any expansion or modification of any conforming or non-conforming use in any district hereafter shall meet minimum requirements as indicated in Table I.
- 703.04 Along major State, Federal, or Village highways or streets, no building or accessory building shall be located closer or within the setback established by existing buildings.
- 703.05 Open structures such as porches, canopies, decks, platforms, balconies, carports, covered patios, or similar architectural projections shall be considered as part of the buildings to which they are attached. In no case shall these structures project into the minimum front, side, or rear yard as determined in Table I.

Sec 704 Density

704.01 Density of dwelling units in R-1 or R-2 Districts, either under special use permit or development plan permit, shall in no circumstances hereafter exceed the following:

- (A) R-1 District: 4 buildings per gross acre
- (B) R-2 District: 6 buildings per gross acre
- (C) Computation: One acre: 43,560 sq. ft.
As per Table 1, R-1 min. lot size 10,000 sq. ft.;
R-2 min. lot size 7,500 sq. ft.

704.02 Density of buildings in Commercial Districts shall not exceed seven (7) buildings per gross acre.

704.03 No dwelling buildings are permitted in Industrial Districts.

Sec 705 Lot Coverage

705.01 Residential and Non-residential Lot Coverage requirements are set forth in Table I.

705.02 Accessory buildings are included in the Lot Coverage requirements as set forth in Table I.

Sec 706 Dwelling Bulk

706.01 In R-1 Districts, no dwelling shall have a total living area of less than twelve hundred (1,200) square feet, nor a ground floor area of less than seven hundred fifty (750) square feet in area.

706.02 In R-2 Districts, no dwelling shall have a total living area of less than seven hundred fifty (750) square feet of living area, nor a ground floor area of less than six hundred (600) square feet.

706.03 No structure used for dwelling purposes shall have less than six hundred (600) square feet of living area; nor a ground floor area of less than four hundred fifty (450) square feet.

Sec 707 Height Requirements

707.01 No building shall be erected or changed to a height in the district in which it is located to exceed the requirements as set forth in Table I.

707.02 The height limitation described in Table I shall not apply to the following: television towers, radio towers, spires, belfries, cupolas, antennas, monuments, water tanks, ventilators, chimneys, or other appurtenances required to be placed above the maximum heights and not intended for human occupancy, provided:

- (A) Such extensions are approved by the Board of Zoning; and
- (B) Required measures are taken to comply with Federal and State regulations in regard to Federal Aviation Agency requirements.

707.03 Special Exception: Educational, industrial, and apartment buildings may be permitted to exceed the height requirements as described on Table I, provided:

- (A) The front, side, and rear yard requirements are increased by two (2) feet for each additional foot of height above the maximum specified; and,
- (B) No building exceeds a maximum height of seventy (70) feet without approval from the Zoning Board.

Sec 708 Accessory Uses

708.01 Accessory uses are permitted in all districts. Examples of accessory uses are as follows:

Bird baths	Hedges	Public Utility installations
Bird houses	Lamp posts	Retaining walls
Curbs	Landscaping	Trees and plants
Driveways	Mail boxes	Shrubs and flowers
Fences	Name plates	Walks

708.02 Accessory buildings are permitted in Residential Districts EXCEPT where expressly forbidden by prior development plans, owners of development tracts, or by other restrictions.

708.03 Where accessory buildings are permitted, the following conditions shall apply in addition to other provisions in this Ordinance:

- (A) It shall be located in the rear yard.
- (B) It shall be no closer than ten (10) feet from the main building.
- (C) It shall be no higher than twelve (12) feet.
- (D) It shall be at least ten (10) feet from an alley or street, or five (5) feet from rear lot line.
- (E) It shall occupy no more than twenty-five percent (25%) of the required rear yard in residential districts.

Sec 709 Animals/Pets

709.01 The possession, breeding, or boarding of any animal normally classified as a "wild" animal or "endangered species" or any animal whose sale and/or ownership is otherwise regulated by Federal, State, or Local statutes is prohibited in all districts of the Village.

709.02 The possession, boarding, breeding, or foraging of livestock is prohibited in all districts of the Village EXCEPT in districts designated as agricultural. Examples of these types of livestock are: horses, cattle, pigs, sheep, chickens, roosters, and like animals.


- 709.03 Animals classified most commonly as house pets are permitted in any district provided:
- (A) Owners of such pets take reasonable care in confining such pets on the owner's property and, in appropriate instances, enclosed pens.
 - (B) Such pens or enclosures are to be maintained in a manner so as not to cause health hazards or be offensive to surrounding property owners.
 - (C) Such pens and/or enclosures shall be restricted to the rear of the owner's lot, but in no case closer than five (5) feet to the lot lines in all directions.

Examples of house pets or animals in this category include dogs, cats, rabbits, gerbils, and like small animals, and any small animal that may be kept as part of a 4-H project, excluding live-stock.

- 709.04 The possession, boarding, or breeding of pit bulls is prohibited in all districts.

Sec 710 Proposed Uses

Primary uses are authorized in Chapter 200. The following specifications govern proposed uses in specific districts.

- 710.01 R-1 Districts are for single family dwellings. No other uses are permitted.
- 710.02 R-2 Districts may be used for home occupation uses. Home Occupation use is generally defined as a use of a home or part of a home for an occupation or service that does not require regular office hours or such activities that require constant or routine business traffic.
-  Educational Districts are for educational uses and direct corollary uses such as classrooms, dormitories, fraternity/sorority houses, cafeterias, bookstores, administration buildings, libraries, President's home, athletic fields/complexes, playgrounds, parking lots, and the like.
- 710.04 Agricultural districts must encompass five (5) or more contiguous acres. All farm uses are permitted. No other uses are permitted. Water and sewer services may be extended to an agricultural district if cost effective and feasible.
- 710.05 Any use other than uses listed in Sections 710.02 and 710.03 above will require compliance with Section 711 of this Ordinance and all applicable provisions of this Ordinance.

710.06 Special Provision - Proposed Uses

In R-2, Industrial, Commercial and Educational Districts, an existing single family dwelling may be changed to a two (2) or three (3) family unit, provided that each unit complies with the minimum floor unit requirements as indicated by Table II. Off-street parking shall be provided in the rear at the rate of one and one-half (1.5) parking spaces per unit. The converted dwelling units must maintain the present appearance of a single family dwelling. Smoke and/or fire detection systems must be installed in each family unit.

Sec 711 Special Uses

The Zoning Board, Village Council, and Planning Committee may grant special uses in all Districts. Such permission may be granted, provided that:

- (A) Requests for such special uses follow the procedures by which an amendment is approved; and
- (B) Such special use is deemed essential or desirable for the public convenience or welfare; and
- (C) Such use is in harmony or similar to surrounding uses in the District; EXCEPT that public facilities shall be considered a necessity for public welfare and safety; and
- (D) Such use is not merely for the personal convenience of the applicant; and
- (E) All general requirements of this Ordinance are met.

Sec 712 Sewer Use

As required by the Ohio Environmental Protection Agency and Village Ordinance, this section establishes regulations for the use and service of the Rio Grande Village municipal sanitary sewer system. The regulations are as follows:

712.01 There will be no new connections made to the sanitary sewer system from inflow sources. Any existing inflow connections as identified by smoke testing or other sewer system surveys shall be removed. No person shall make connection of roof downspouts, exterior foundation drains, areaway drainings, or other sources of surface run-off, ground water, storm water, cooling water, sub-surface drainage, or unpolluted industrial process waters to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer.

712.02 All new sewers and customer supplied connections to the sanitary sewer system shall be properly designed and constructed, in accordance with Federal and State guidelines, as appropriate:

- (A) All building lines shall be a minimum pipe diameter of four (4) inches from the wye to the soil pipe extending from the house.

- (B) Old building sewers may be used for connection to the Village only when they are found, on examination and testing by the Village, to meet all requirements of this Ordinance.
- (C) The size, slope, alignment, materials of construction of a building sewer, and methods to be used in excavating, placing of the pipe, jointing, testing, and backfilling the trench, shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the Village. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the A.S.T.M. and W.P.C.F. Manual of Practice shall apply.
- (D) Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the public sewer.
- (E) The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the Village or the procedures set forth in appropriate specifications of the A.S.T.M. and the W.P.C.F. Manual of Practice. All such connections shall be made gas tight and water tight. Any deviation from the prescribed procedures and materials must be approved by the Superintendent of the Water and Sewer Department.
- (F) The applicant for the building sewer permit shall notify the said Superintendent when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Superintendent or his representative.
- (G) All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Village.

712.03

There will be no wastewater introduced into the sanitary sewer system which contains toxics or other pollutants in amounts or concentrations that endanger public safety and/or the physical integrity of the treatment facility, or violate the National Pollutant Discharge Elimination System (NPDES) permit, or industrial pretreatment requirements. The prohibited substances shall include, but not be limited to, all prohibited toxics or hazardous wastes as specified under section 307(a) of the Clean Water Act of 1977 (PL95-217). Under the General Discharge Prohibitions, a User may not contribute the following substances to the Rio Grande POTW.

- (A) Any liquids, solids, or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to create a fire or explosion hazard or be injurious in any other way to the POTW or to the operation of the POTW. At no time shall two (2) successive readings on an explosion hazard meter, at the point of discharge into the system (or at any point in the system) be more than ten percent (10%) nor any single reading over fifteen percent (15%). Prohibited materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides, and sulfides and any other substances which Rio Grande, Ohio EPA, or US EPA has notified the User is a fire hazard or explosion hazard to the system.
- (B) Any wastewater having a pH less than 5.0, or wastewater having other corrosive property capable of causing damage or hazard to structures, equipment, and/or personnel of POTW.
- (C) Solid or viscous substances in amounts which may cause obstruction to the flow in a sewer or other interference with the operation of the wastewater treatment facilities such as, but not limited to: grease, garbage with particles greater than one-half (1/2) inch in any dimension, animal guts or tissues, manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stones, glass, straw, wood shavings, grass clippings, rags, spent grains, waste paper, wood, plastics, gas, tar, asphalt residues, or mud.
- (D) Any wastewater containing toxic pollutants in sufficient quantity, either singly or by interaction with other pollutants, to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, create a toxic effect in the receiving waters of the POTW, or to exceed the limitation set forth in a Categorical Pretreatment Standard. A toxic pollutant shall include, but not be limited to, any pollutant identified pursuant to Section 307(a) of the Act.
- (E) Any noxious or malodorous liquids, gases, or solids which either singly or by interaction with other wastes are sufficient to create a public nuisance or hazard to life or are sufficient to prevent entry into the sewers for maintenance and repair.
- (F) Any substance which may cause the POTW's effluent or any other product of the POTW such as residues, sludges, or scums, to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case shall a substance discharged to the POTW cause the POTW to be in non-compliance with sludge use or disposal criteria, guideline or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or State criteria applicable to the sludge management method being used.

- (G) Any substance which will cause the POTW to violate its NPDES Permit or the receiving water quality standards.
- (H) Any wastewater with objectionable color not removed in the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions.
- (I) Any wastewater having a temperature which will inhibit biological activity in the POTW treatment plant resulting in interference, but in no case, wastewater with a temperature at the introduction into the POTW which exceeds 40+0+C (104°).
- (J) Any pollutants, including oxygen demanding pollutants (BOD₅, etc.) released at a flow rate and/or pollutant concentration which a User knows or has reason to know will cause interference to the POTW. In no case shall a slug load have a flow rate or contain concentrations of pollutants that exceed for any time period longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration, quantities or flow during normal operation.
- (K) Any wastewater containing any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Superintendent in compliance with applicable State or Federal regulations.
- (L) Any wastewater which causes a hazard to human health or creates a public nuisance.

- 712.04 There will be no violation of effluent or water quality limitations as specified in the NPDES permit. All industrial discharge permits and pretreatment requirements will be designed to comply with the restrictions and limitations of the NPDES permit.
- 712.05 In the case of accidental spills of sludge or effluent, the Gallia County Health Department (446-4612) and Superintendent (245-5822) shall be IMMEDIATELY notified. The notification shall include location of the discharge, type of waste, concentration and volume, and corrective actions taken or to be taken. Appropriate action shall be taken as directed by the Superintendent of the water and sewer department, the Gallia County Sanitarian, and the Village Engineer.
- 712.06 Any Holder of an industrial discharge permit or use who discharges extra-strength waste shall provide a monthly report of substances discharged, laboratory analyses, pretreatment provided, and volume and frequency of monitoring (testing) procedures utilized.
- 712.07 The Village reserves the right to reject wastes, require pretreatment, assess a surcharge for additional operating costs, and contract for special agreement or arrangement for treatment and disposal of wastes.
- 712.08 The Village reserves the right to limit additional new connections if sufficient capacity is not available at the treatment facilities.

- 712.09 Industrial and commercial customers will be required to adhere to the industrial pretreatment conditions and regulations promulgated under section 307(b) of the Clean Water Act. Specific requirements are contained in 40 CFR, Part 403, and will be monitored and enforced by the Village.
- 712.10 Grease, oil, or sand traps will be provided by commercial or industrial customers, as required, to prevent excessive amount of grease, sand, or other flammable or harmful wastes from being introduced into the treatment system.
- 712.11 As determined by the sewer treatment plant Superintendent, a control manhole will be provided to monitor industrial waste, if required.
- 712.12 All measurement, testing, and analysis of wastewater will conform with "Standard Methods For The Examination of Water and Wastewater," published by the American Public Health Association, and the October 16, 1975, Federal Register (40CFR Part 136) Entitled "Guidelines For Establishing Test Procedures For The Analysis of Pollutants."
- 712.13 As a condition of utilizing the wastewater treatment facilities of the Village of Rio Grande, all commercial or industrial customers agree to provide access to their properties to the employees of the Village Water and Sewer Department, for purpose of inspecting, observing, measuring, sampling, or testing of wastewater discharge. Said employees will respect all rights of property owners, especially as they pertain to insurance, safety, and manufacturing process information.
- 712.14 Violations of the sewer use ordinance will be referred to the Mayor of the Village of Rio Grande. Violators will be assessed costs, if any, of correcting the violation, and appropriate penalty as determined in Mayors Court. Appeal of the decision of the Mayors Court may be made to the Board of Public Affairs.
- 712.15 All residences, educational facilities, housing complexes businesses, or industries located within the Village limit of Rio Grande will be connected to the Village sewer system. Any current residences not connected to the Village sewer system, and any future constructed facilities, will be connected to the system at customer expense at the current applicable fee.
- 712.16 The following definitions are provided for reference in respect to the sewer use ordinance.
- (A) Biochemical Oxygen Demand (BOD) - The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures, five (5) days at 20° centigrade, expressed in terms of weight and concentration by milligrams per liter (mg/l).
 - (B) Combined Sewer - A sewer designed to carry both sanitary wastewater and storm or surface water runoff.

- (C) Effluent - Wastewater or other liquid, raw, partially treated, or completely treated, flowing from a treatment facility to a discharge location.
- (D) Industrial Discharge Permit - Establishes reporting requirements for industrial and/or commercial users, and sets discharge limits, pretreatment requirements and monitoring policies.
- (E) Industrial Wastes - Wastes, other than normal domestic or sanitary sewage, from industrial processes including manufacturing, industrial business, or other sources.
- (F) Inflow Connection - Any connection which intentionally introduces storm water, surface drainage, or street wash into a sanitary sewer system.
- (G) National Pollutant Discharge Elimination System (NPDES) - Permit-Issued under Section 402 of the Act (33 U.S.C. 1342), it defines the parameters under which the treatment facility may be operated.
- (H) Normal Domestic Sewage - The used water and solids from humans that flow to a treatment plant and have an average daily suspended solids concentration of not more than three hundred (300) mg/l and an average daily biochemical oxygen demand concentration of not more than three hundred (300) mg/l.
- (I) Sanitary Sewer - A sewer intended to carry wastewater from homes, businesses, and industries, and not storm, surface, or groundwater.
- (J) Storm Sewer - A separate sewer that carries runoff from storms, surface drainage and street wash, but excludes domestic and industrial wastes.
- (K) Suspended Solids - Those solids that are visible and in suspension in water, wastewater, or other liquids, and which is removable by laboratory filtering.
- (L) Toxics - Pollutants which inhibit or destroy the growth or function of any organism and listed as toxic in regulations promulgated by the Administrator of the EPA under provision of 307(a) of the Clean Water Act or other acts.
- (M) Treatment Facility - A facility utilizing primary treatment, secondary treatment, and advanced wastewater treatment to provide an effluent that complies with the requirements of the NPDES permit.

CHAPTER 800 SPECIAL PROVISIONS - ALL DISTRICTS

Sec 801 Off-Street Parking and Loading Areas

A parking area or loading berth for any of the following uses may not be located closer to a residential district than the distance, in feet, listed opposite it in the following table; or in the case of being located within a residential district, no closer to the lot line than herein provided.

MINIMUM DISTANCE FROM RESIDENTIAL DISTRICT IN FEET

Use	Parking Area	Loading Berths
Clinic/Medical or Dental	10	-
Commercial Greenhouse	-	50
Hospital	25	-
Golf Course or Country Club	10	-
Industrial Park	25	100
Natural Resource Development	-	300
Outdoor Commercial Recreation	25	50
Private Recreational Development	25	-
Sales Barn for Livestock Resale	50	100
Truck Freight Terminal	100	100
Wholesale Terminal	100	100

Sec 802 Off-Street Loading Berths

- (A) "Loading Berth" herein means an off-street, off-alley area designed or used to load or unload goods.
- (B) Each loading berth shall be at least twelve (12) feet by forty-five (45) feet in size with a minimum of fourteen (14) feet height clearance.
- (C) All non-residential uses as described herein shall have a minimum number of off-street loading berths of dustproof surface as prescribed below:
 - 1. All uses generally permitted in the Commercial district shall have one (1) berth for three thousand (3,000) to five thousand (5,000) square feet of total gross floor area, and an additional berth for each additional twenty-five thousand (25,000) square feet or fraction thereof, of total gross floor area.
 - 2. All uses generally permitted in any Industrial District shall require one (1) loading berth for fifteen thousand (15,000) square feet or less of total floor area, two (2) berths for fifteen thousand (15,000) to forty thousand (40,000) square feet of total gross floor area, three (3) berths for forty thousand (40,000) to one hundred thousand (100,000) square feet, and one (1) additional berth for each forty thousand (40,000) square feet or fraction thereof, above one hundred thousand (100,000) square feet of total gross floor area.

3. All Special Uses shall have the same requirements as an industrial use.

Sec 803 Off-Street Parking

- (A) To reduce traffic problems and hazards by eliminating on-street parking, every use of land hereafter stated or changed must include on-premises parking sufficient for the needs normally generated by the use as provided herein. Parking spaces or bays contiguous to the street, required by subdivisions or other ordinances, or voluntarily supplied, are in addition to and not in place of the spaces herein required.
- (B) Each parking space shall be at least nine (9) feet wide and twenty-two (22) feet long for parallel parking, or twenty (20) feet only for right angle parking, or eighteen (18) feet long for sixty (60) degree parking, or seventeen (17) feet long for forty-five (45) degree parking; the length of non-parallel parking being measured at right angles to the edge of the usable parking area formed by the angles exclusive of passageway.
- (C) The parking spaces required herein shall be located on the premises, or within three hundred (300) feet of the premises, and shall not be a part of an alley, street, or other roadway.
- (D) Parking spaces may not be located in the required front yard except in commercial and industrial districts.
- (E) Any parking space for a commercial use, if in the open, must be paved or covered by a dustproof surface.
- (F) A group of users may provide a joint parking area if the number of spaces in the area at least equals the aggregate of the spaces required for the several uses, and other regulations are met.
- (G) A Church or Temple that requires parking area at times when nearby users do not need their parking facilities may by agreement approved by both parties and by Village Council, use those facilities instead of providing their own; except that such other facilities must be off-street, dust free, and meet the total requirements for Churches and Temples.
- (H) At no time shall vehicles in parked status, whether on and/or off street, protrude or otherwise obstruct pedestrian walkways or sidewalks.
- (I) Parking spaces shall be provided as follows:

<u>Uses</u>	<u>Required Parking Spaces</u>
Airport or heliport	1 per 2 employees plus 1 per permantly based aircraft plus 1 per daily transient aircraft

Automobile, trailer, other vehicle sales area (open)	1 per 1,000 sq. ft. land used for retail areas
Automobile sales and repair (indoor)	1 per 200 sq. ft. of floor area
Banks, business & professional offices, similar business uses, postal stations, telegraph, telephone, and similar uses	1 per 500 sq. ft. floor area
Boarding, lodging, dormitories	1 per 3 occupants
Bowling alleys	3 per lane plus 1 per 6 spectator seats
Business use not otherwise listed	1 per 200 sq. ft. floor area
Church or Temple	1 per 6 seats in largest area used any one time
Clinic	1 per 2 employees plus 3 per doctor
Country club or golf course	1 per 2 employees plus 3 per hole
Department stores, retail showroom, apparel shop, flower shop, drug store, hardware, stationary, record, news and grocery stores, photo studio, barber and beauty shops, restaurants, delicatessens, bakery, meat and super markets, locker service, roadside stands, appliance shops, shoe repair, clothing services, dry cleaning, laundry services, billiard room, taverns, night clubs and similar uses, home occupations.	1 per 125 sq. ft. of floor area
Lodges	1 per 3 guest rooms
Hospital	1 per 4 beds, plus 1 per doctor, plus 1 per 3 employees on largest work shift, plus 1 per hospital vehicle
Hotel, motel	1 per sleeping room
Industrial uses not listed elsewhere	1 per 3 employees
Kindergarten and day nursery	1 per 4 children
Mortuary	1 per 6 seats in main room

Nursing home, home for aged	1 per 7 patients and 1 per 2 employees
Outdoor commercial recreation use	1 per 600 sq. ft. of area used
Correctional institution	1 per 3 employees plus 1 per 500 sq. ft. floor area
Private club	1 per 6 active members
Government buildings	1 per 125 sq. ft. floor area
Transportation terminals, taxi, bus, train	1 per 5 seats in waiting room
Residential uses	1-1/2 spaces per dwelling unit
Riding stable uses	1 per 5,000 sq. ft. floor area
Schools	1 per 3 staff members plus 1 per 6 auditorium seats
Stadium, coliseum, etc.	3 per 4 employees plus 1 per 4 seats
Indoor theatre	1 per 6 seats
Kennel	1 per 3 animal spaces (dens or cages)
Wholesale, distribution uses	1 per 2 employees

Sec 804 Fences, Buffers, Screen Plantings

(A) The following uses shall be fenced by six (6) foot high woven wire fences:

Airport or heliport
Freight terminals

(B) The following uses shall be fenced by four (4) foot high wire mesh fence (or solid fence):

Kindergarten or day nursery
Private swimming pool (except package pools with attached appropriate fencing)

- (C) The following uses shall have an eight (8) foot high solid painted fence, planting, or similar buffer around the storage area:

Junk yards

Any commercial establishment where cars are repaired/stored

- (D) The following uses shall have a four (4) foot high fence, planting, or similar barrier along front lot lines and adjacent residential district boundaries:

Public, customer, or employee parking where parking spaces are closer than ten (10) feet from the lot line

- (E) Tight screen planting effective at all times to block the view from residential districts shall be provided for the following uses abutting residential districts or located within residential districts. Such planting shall be provided at the lot line or district boundaries on which such uses abut and shall have reached six (6) feet in height and three (3) feet in width within five (5) years after the use is established.

All industrial uses

Natural resource development (if not fenced)

Outdoor commercial recreation enterprises

Landfill, dumps, sewage plants

Riding stables

Wholesale, freight or distribution terminal (when not fenced)

Public utility substations, if such planting does not interfere with operation thereof

- (F) Fences are permitted within any Residential District subject to the following conditions:

1. Fences shall not exceed four (4) feet in height measured from the surface of the ground except in the case of swimming pools which shall be completely enclosed as described above; and except fences around rear patios and/or courtyards which may not exceed eight (8) feet in height.
2. All fences can extend past the front of the principal buildings or structure only as long as the fence does not obstruct view of traffic in or out of drives on either side. In no case can a fence be extended into the public right-of-way.
3. All fences shall comply with the requirements of the Building Code as it applies to fence installation and materials, but in no instance shall a fence contain barbed wire, electric current, or a charge of electricity.
4. Fences on recorded lots having a total area in excess of two (2) acres and a minimum lot width of one hundred (100) feet and acreage or parcels not included within the boundaries of a recorded plot are excluded from these regulations.

(G) Fences may be required in other districts by the Planning Commission when the public's health, welfare, and safety is jeopardized and where the permitted use requires the same for security.

1. All fences shall be constructed of materials approved by the Planning Commission and shall be durable, weather resistant, rust proof, and easily maintained.
2. The maximum height shall be six (6) feet measured from the ground.

Sec 805 Signs

It is the intent of these regulations to permit the installation of signs throughout the Village to protect the character and dignity of public facilities, public and private buildings; to improve traffic safety by reducing advertising distractions and obstructions; to enhance and preserve the Village's environment. All persons in installing signs are encouraged to use good judgement in displaying signs, in addition to the regulations stated herein.

805.01 In any district, except as prescribed, the provisions of this subsection shall be applied to effect the safety of motorists and pedestrians and to facilitate traffic movement:

1. No sign shall be erected or maintained at any location where, by reason of its position, working, illumination, size, shape, or color, it may obstruct, impair, obscure, interfere with the view of, or be confused with any authorized traffic control signal, sign, or device.
2. No sign shall contain or make use of any phrase, symbol, shape, form, or character in such a manner as to interfere with, mislead, or confuse moving traffic.
3. No part of any free-standing sign shall be erected to a height greater than that specified for accessory structure in which the sign is located.
4. The minimum setback of "free-standing or pole" signs, from the street right-of-way line, shall not be less than five (5) feet and ten (10) feet from the side or rear property line. The maximum sign area shall be sixty (60) square feet. Any such signs with an area over sixty (60) square feet shall have a thirty (30) foot setback from the front edge of the sign to the street right-of-way line and ten (10) feet from the side or rear yard property line.
5. The area of a sign shall be determined by the smallest circle, triangle, or rectangle that can be used to enclose the sign, exclusive of supporting members that bear no message or symbol.
6. No free standing or pole sign shall be permitted in a residential district.

805.02 In any residential district the following regulations shall apply:

1. A nameplate, not to exceed two (2) square feet in area, is permitted for each dwelling unit of a single-family or row house structure; such nameplate shall indicate nothing other than the name and/or address of the occupant, and/or the customary home occupation. No other sign shall be allowed. This section shall not be construed to prohibit a house numbering plate for identification.
2. Multiple-family residences and residential projects of all types may display identification signs indicating nothing other than name and/or address of the premises, and schedule of service; such sign not to exceed twenty (20) square feet in area.
3. For uses other than those listed in paragraphs 1 and 2, bulletin boards or identification signs indicating nothing other than names and/or addresses of the premises, and schedule of services or other information relevant to the operation of the premises; such signs shall not exceed twelve (12) square feet in area.
4. For any use eligible to display a sign in paragraph 2 and 3, only 1 (one) sign per street frontage shall be permitted; except that uses occupying extended frontage shall be permitted one (1) such sign for each five hundred (500) feet of frontage.

805.03 In any commercial district, except as herein provided, the provisions of this subsection shall apply:

1. Residential uses shall be subject to the provisions of Section 805.02.
2. Each public recreation, community facility, or clinic shall be permitted one (1) bulletin board or identification sign not to exceed twelve (12) square feet in area, except that uses occupying extended frontage may have one (1) such sign for each five hundred (500) feet of frontage.
3. Each primary use, other than those listed in paragraphs 1 and 2, shall be permitted signs as accessory uses according to the number and net area of sign set forth as follows:

<u>Height</u>	<u>No. of Signs</u>	<u>Net Sign Area (Each)</u>
30 ft.	2	40 sq. ft.

4. One (1) wall sign shall be permitted for each occupancy subject to the following conditions:
 - (a) Maximum sign area shall be thirty (30) square feet of sign area per one thousand (1,000) square feet of floor area, but not to exceed one hundred fifty (150) square feet, and
 - (b) wall signs shall be attached to a wall at a height of not less than eight (8) feet from finished grade of the ground.

5. Signs suspended from canopies extending over the sidewalk shall be no greater than four (4) feet in width and eight (8) inches in depth. All such signs shall be mounted at least eight (8) feet above the sidewalk, measured from the sidewalk to the bottom of the sign.

805.04 In any industrial district, each business or industrial use shall be permitted identification signs on the lot only as incidental uses, not to exceed two (2) such signs or a net area of three hundred (300) square feet.

805.05 Before erecting, converting, enlarging, reconstructing, structurally altering, or rearranging any sign, except those permitted herein, application shall be made in writing upon a form furnished by the Village. The fee shall be five dollars (\$5.00) per sign. The following signs shall be permitted in any district:

1. Each permitted or required parking area that has a capacity of more than five (5) cars shall be permitted one (1) sign, not more than two (2) square feet in area, designating each entrance or exit from such parking area; and one (1) sign, not more than nine (9) square feet in area, identifying or designating the conditions or use of such parking area for each twenty-five (25) spaces, or fraction thereof.
2. One "for sale" or "for rent" sign not more than six (6) square feet in area for each dwelling, building, garage, or other quarters where appropriate.
3. Signs established by, or by order of, any governmental agency.
4. One sign (1) not more than thirty-two (32) square feet in area, for construction and development, giving the name of the contractors, engineers, or architects, shall be permitted, but only during the time that construction or development activity is underway.
5. For an event of public interest, such as a county fair or church event, one (1) sign not over twenty-four (24) square feet in area and located on the site of the event, shall be permitted. Such signs shall be erected not more than thirty (30) days before the event in question and shall be removed immediately after the event. Also, directional signs not more than three (3) square feet in area showing only a directional arrow and the name of the event, shall be permitted, provided such sign shall not be erected more than seven (7) days before the event, and shall be removed immediately after such event. Directional signs may be located in any district.
6. All signs illuminated electrically shall conform to requirements of the current edition of the National Electric Code.
7. All abandoned signs shall be removed completely within thirty (30) days after abandonment.

805.06 Posting of political/campaign posters, handbills, etc., is prohibited in the Village in any district except on private property. Such posters, signs, handbills, etc., shall not obstruct ingress or egress to any public street. Such posters, signs, handbills, shall be removed within seven (7) days following an election.

Exemption: Public notices, traffic control signs, and other official signs and notices are exempt from the provisions of this section.

Permits

1. A separate permit shall be required for the erection of signs regulated in this Ordinance, except that no permit shall be required for temporary real estate signs for the sale or lease of property and for small announcement signs with an area of less than two (2) square feet.
2. Each application for a sign permit shall be accompanied by a drawing showing the design proposed; the size, character, and color of letters, lines, and symbols; method of illumination; the exact locations of the sign in relation to the building and property; the details and specifications for construction.

Sec 806 Trash and Junk Storage

All residential, industrial, commercial, and educational users and Districts shall conform to the performance requirements as outlined in this Zoning Ordinance.

- (A) All trash and refuse shall be stored in enclosed containers in all Districts.
- (B) Commercial, educational, industrial, and multiple family users shall provide adequate containers in relationship with the volume of trash or refuse. No trash or refuse shall be placed around or on top of such containers.
 1. Trash/refuse containers shall be placed so as to provide easy access for deposit of trash and pick-up by service providers.
 2. Trash/refuse containers shall, where possible, be placed in locations or behind acceptable screening so as to provide a neat appearance and not be conducive to rodents and/or scavenging animals.
 3. Trash/refuse containers, also known as dumpsters, shall conform to specifications as required by State and/or Federal regulations.
 4. There shall be no open burning of trash or refuse in the Districts or in the Village of Rio Grande.

(C) Residential users shall provide for the storage of trash and refuse in accordance with acceptable standards for such storage and disposal of trash and refuse as is fitting for such district and neighboring land-owners.

1. There shall be no open burning of trash and refuse within the District and/or the Village of Rio Grande.

Sec 807 Special Provisions

In accordance with present and future Federal, State, and Local mandates designed to preserve and/or protect the environment, this Zoning Ordinance will become subservient to those mandates and those mandates will, by inference and/or implication, automatically become a part of this Ordinance and in due force.

Sec 808 Mineral, Clay, Sand, and Gravel Extraction

The extraction, storage, and processing of Minerals, Clay, Sand, and Gravel shall be prohibited in all Districts except for the following:

- (A) The temporary storage and processing of minerals, sand, clay, and gravel used for construction purposes;
- (B) The excavating and temporary storage as a requirement for construction purposes within any District and/or Village;
- (C) The excavating or storage required for the maintenance of public safety and infrastructure improvements or additions.

In all cases of (A), (B), or (C) above, all reasonable and practical measures shall be taken to safeguard public safety.

Sec 809 Temporary Buildings

Temporary buildings and construction trailers used in conjunction with construction work only may be permitted in any district during the period construction work is in progress, but such temporary buildings shall be removed upon completion of the construction work.

Sec 810 Open Storage and Display of Materials and Equipment

The open storage and display of material and equipment incident to permitted uses or special exceptions in commercial and industrial districts shall be permitted provided the area used for open storage and display shall be effectively screened from all adjoining properties in any residential district by means of walls, fences, or plantings. Walls or fences shall be a minimum of four (4) feet in height without advertising thereon. In lieu of such wall or fence a strip of land not less than ten (10) feet in width and planted and maintained with an evergreen hedge or dense planting of evergreen shrubs not less than four (4) feet in height at the time of planting may be substituted.

The temporary open storage of contractor's equipment and material shall be permitted on the site upon which buildings or structures are being erected or installed for the duration of the construction period. Storage of such equipment and material beyond the date of completion of the project shall be subject to a special permit authorized by the Board of Zoning appeals.

CHAPTER 900 NON-CONFORMING USES

Sec 901 Intent

Within the districts established by this Ordinance or amendments that may later be adopted there may exist: (a) lots, (b) structures, (c) uses of land and structures, and (d) characteristics of use which were lawful before this Ordinance was passed or amended; but which would be prohibited, regulated, or restricted under the terms of this Ordinance or future amendment. It is the intent of this Ordinance to permit these non-conformities to continue until they are removed, but not to encourage their survival. It is further the intent of this Ordinance that non-conformities shall not be enlarged upon, expanded, or extended, nor be used as grounds for adding other structures or uses not permitted elsewhere in the same district.

- 901.01 Non-conforming uses are declared by this Ordinance to be incompatible with permitted uses in the districts involved. A non-conforming use of a structure, and land in combination shall not be extended or enlarged after passage of this Ordinance by attachment on a building or premises of additional signs intended to be seen from off the premises, or by the addition of other uses of a nature which would not be permitted generally in the district involved.
- 901.02 To avoid undue hardship, nothing in this Ordinance shall be deemed to require a change in the plans, construction which was lawfully begun prior to the effective date of adoption or amendment of this Ordinance and upon which actual building construction has been carried on diligently. Actual construction is hereby defined to include the placing of construction materials in permanent position and fastened in a permanent manner. Where excavation or demolition or removal of an existing building has been substantially begun preparatory to rebuilding, such a demolition or removal shall be deemed to be actual construction, provided that work shall be carried on diligently.

Sec 902 Non-conforming Structures/Buildings

Where a lawful structure exists at the effective date of adoption or amendment of this Ordinance that could not be built under the terms of this Ordinance by reason of restrictions on area, lot coverage, height, yards, its location on the lot, or other requirements concerning the structure, such structures may be continued so long as it remains otherwise lawful, subject to the following provisions:

- (A) No such non-conforming structure may be enlarged or altered in a way which increases its non-conforming, but any structure portion thereof may be altered to decrease its non-conformity.
- (B) A non-conforming building or structure which is damaged or partially destroyed by fire, flood, wind, earthquake, or other calamity, or the public enemy, to the extent of thirty percent (30%) of its value, may be restored and the same use and

occupancy continued or resumed, provided that such restoration is started within a period of one (1) year and is diligently prosecuted to completion.

- (C) Any lot whose buildings are destroyed beyond seventy percent (70%) of their total value, shall not be restored to its original use and the land use by such buildings shall thereafter be used in conformance with the district regulations.
- (D) The use of a non-conforming building may be changed to a use of the same or more restricted classification but shall not thereafter be changed back to a less restrictive use.
- (E) A non-conforming building, or portion thereof, which is or hereafter remains vacant and unoccupied for a period of two (2) years or more, shall not thereafter be occupied except by a use which conforms to the use regulations of the district in which it is located unless the building in question is held up in the courts.
- (F) Should a non-conforming structure be moved for any reason for any distance whatever, it shall thereafter conform to the regulations for the district in which it is located after it is moved.

Sec 903 Special Provision: Abandoned Service Stations

- (A) If any service station shall become abandoned, such service station shall be presumed to be detrimental to the public health, safety, convenience, comfort, property, or general welfare of the community and shall be abated. Abandoned is defined as a failure to operate said service station for a period of one (1) year.
- (B) Whenever the Administrative Officer shall find any service station to be abandoned within the meaning of this Section, he shall give notice in the same manner as service of summons in civil cases, or by certified mail addressed to the owner of record of the premises at his last known address or to address to which tax bills are sent, or by a combination of the foregoing methods, to abate such abandoned condition within one hundred and eighty (180) days either by placing the station in operation in accordance with this Ordinance, adapting and using the building for another permitted business use, or by razing the service station structure, removing pumps and signs, abandoning underground storage tanks in accordance with accepted safe practice as prescribed by the National Fire Protection Association in Appendix "C" to N.F.P.A. No. 30; under the supervision of the Village of Rio Grande, and under approved environmental statutes in force, and filling depressions to the grade level of the lot; provided, however, that if the station is in operation at time notice is given and remains operating for ninety (90) consecutive days thereafter, the provisions of this Section shall not apply; and provided further, that if there should be declared a national emergency which would curtail the operation of motor vehicles or if the Council should determine that there exists a state of general economic depression, the provisions of this Section shall not apply.

- (C) Upon the failure, neglect, or refusal of any owner to comply with the notice to abate such abandonment, the Administrative Officer shall take such action as may be necessary to abate such nuisance.
- (D) Inoperative service stations which do not come within the definition of abandoned service station, shall be maintained in accordance with the provisions of this Ordinance and the owner shall cut all grass and remove all rubbish and woods from the premises. The parking of motor vehicles upon said premises shall be prohibited, and the owner shall place in the window of such service station a sign of at least ten (10) square feet in area notifying the public of this fact. Notwithstanding any other provision of this Ordinance, if the Administrative Officer shall find that such notice is not complied with by the public, he may order the owner of the premises on which any station is inoperative for more than six (6) months to install fencing or barricade which will be sufficient to block motor vehicle access to said property.

Sec 904 Non-conforming Uses of Land

Where at the time of passage of this Ordinance lawful use of land exists which would not be permitted by the regulations imposed by this Ordinance, and where such use involves no individual structure with a replacement cost exceeding one thousand dollars (\$1,000), the use may be continued so long as it remains otherwise lawful, provided:

- (A) No such non-conforming use shall be enlarged, increased, nor extended to occupy a greater area of land than was occupied at the effective date of adoption of this Ordinance.
- (B) No such non-conforming use shall be moved, in whole or in part, to any portion of the lot or parcel other than that occupied by such use at the effective date of adoption or amendment of this Ordinance.
- (C) If such non-conforming use of land ceases for any reason for a period of more than one hundred eighty (180) days, any subsequent use of such land shall conform to the regulations specified by this Ordinance for the district in which such land is located.
- (D) No additional structure not conforming to the requirements of the Ordinance shall be erected in connection with such non-conforming use of land.

Sec 905 Non-conforming Uses of Structures Or of Structures and Premises In Combination

If lawful use involving individual structures with a replacement cost of one thousand dollars (\$1,000) or more, or of structure and premises in combination, exists at the effective date of adoption or amendment of this Ordinance, that would not be allowed in the

district under the terms of this Ordinance, the lawful use may be continued so long as it remains otherwise lawful, subject to the following provisions:

- (A) No existing structure devoted to a use not permitted by this Ordinance in the district in which it is located shall be enlarged, extended, constructed, reconstructed, moved, or structurally altered except in changing the use of the structure to a use permitted in the district in which it is located.
- (B) Any non-conforming use may be extended throughout any parts of a building which were manifestly arranged, or designated for such use at the time of adoption or amendment of this Ordinance, but no such use shall be extended to occupy any land outside such building.
- (C) If no structural alterations are made, any non-conforming use of a structure, or structure and premises, may as a special exception be changed to another non-conforming use provided that the Board of Zoning Appeals, either by general rule or by making findings in the specific case, shall find that the proposed use is equally appropriate or more appropriate to the district than the existing non-conforming use. In permitting such changes, the Board of Zoning Appeals may require appropriate conditions and safeguards in accord with the provisions of this Ordinance.
- (D) Any structure, or structures and land in combination, in or on which a non-conforming use is superseded by a permitted use, shall thereafter conform to the regulations for the district, and the non-conforming use may not thereafter be resumed.
- (E) When a non-conforming use of a structure, or structure and premises in combination, is discontinued or abandoned for twelve (12) consecutive months or for thirty (30) months during any five (5) year period, except when government action impedes access to the premises in combination, shall not thereafter be used except in conformity with the regulations of the district in which it is located.
- (F) Where non-conforming use status applies to a structure and premises in combination, removal or destruction of the structure shall eliminate the non-conforming status of the land. Destruction for the purpose of this subsection is defined as damage to an extent of more than seventy (70) percent of the replacement cost at time of destruction.

Sec 906 Non-conforming Special Uses

Any use herein shown as a special use in the district use regulations shall be considered non-conforming uses in the same manner as other uses specified in Sections 902, 904, and 905.

Sec 907 Non-conforming As To Lot Area, Width, and Depth

Any lot of record, existing at the time of adoption of this Ordinance or any subsequent amendment, where the required lot area, width, and depth do not meet the regulations herein, may be used for residential purposes; provided that yard, coverage, and other requirements are met; and provided that any contiguous land in common ownership required to be used to meet the district lot area, width, and depth requirements and that no portion of such be transferred to other ownership if such transfer reduces the lot below the minimum requirements set forth in this Ordinance.

Sec 908 Non-conforming Standards of Conforming Or Non-conforming Uses

Any uses, whether conforming as to use regulations or not, that do not conform to the regulations herein pertaining to yard requirements, lot requirements, off-street parking, height regulations, and other regulations, shall be permitted to continue under such non-conforming conditions, except that any enlargement, change of use or addition, shall not cause the aggregate use to violate the provisions of this Ordinance beyond such existing non-conformance which exists at the time of adoption of the Ordinance or any subsequent amendment.

Sec 909 Repairs and Maintenance

Nothing in this Ordinance shall be deemed to prevent the strengthening or restoring to a safe condition of any building or part thereof declared to be unsafe by any official charged with protecting the public safety, upon order of such official.

Sec 910 Certification of Non-conforming Uses

- (A) A zoning certificate shall be required for all lawful non-conformances of land and structures created by adoption or amendment of this Ordinance. Application for such certificate for a non-conforming use shall be filed with the Administrative Officer by the owner or lessee of the land or structure occupied by such non-conforming use within one hundred eighty (180) days of the effective date of this Ordinance or amendment.
- (B) It shall be the duty of the Administrative Officer to issue a certificate for a non-conforming use, or refusal of the Administrative Officer to issue a certificate for such non-conforming use shall be evidence that said non-conforming use was either illegal or did not lawfully exist at the effective date of this Ordinance or amendment.

CHAPTER 1000 BOARD OF ZONING APPEALS

The Board of Zoning Appeals shall be established as provided by the Charter of the Village.

Sec 1001 Organization and Procedure

The Board shall organize and adopt rules for its own government in accordance with the municipal charter.

- (A) Meetings of the Board shall be held at the call of the Chairman and at such other times as the Board may determine. The Chairman, or in his absence the acting Chairman, may administer oaths and the Board may compel the attendance of witnesses. All meetings of the Board shall be open to the public. The Board shall keep minutes of its proceedings showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the Office of Municipal Clerk and shall be a public record.
- (B) Quorum: Three (3) members of the Board shall constitute a quorum. The Board shall act by Resolution; and the concurring vote of three (3) members of the Board shall be necessary to reverse any order or determination of the Administrative Officer, or to decide in favor of an applicant in any matter of which the Board has original jurisdiction under this Ordinance or to grant vacancy from the requirements stipulated in this Ordinance.

Sec 1002 Applications and Appeals

1002.01 Applications for Variance

An application, in cases in which the Board has original jurisdiction under the provisions of the Ordinance, may be taken by any property owner, including a tenant, or by a governmental officer, department, board, or bureau. Such application shall be filed with the Administrative Officer, who shall transmit same to the Board. A copy of the same shall be sent to the Planning Commission (no action required by the Commission). A fee of twenty dollars (\$20) shall accompany any application for variance.

1002.02 Appeals

- (A) An appeal to the Board may be taken by any aggrieved person or by an officer of the Municipality affected by any decision of the Administrative Officer. Such appeal shall be taken within twenty (20) days after the decision, by filing with the Administrative Officer and with the Board a notice of appeal specifying the grounds thereof. The Administrative Officer shall forthwith transmit to the Board all the papers constituting the record upon which the action appealed from was taken.

(B) An appeal shall stay all proceedings in furtherance of the action appealed from unless the Administrative Office shall certify to the Board of Zoning Appeals after the notice of appeal shall have been filed with it, that by reason of facts stated in the certificate, a stay would, in this opinion, cause imminent peril to life or property, in which case proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Board or by a Court of equity, after notice to the officer from whom the appeal is taken and on due cause shown.

(C) The Board in conformity with the provisions of this article may reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination appealed from the Administrative Officer and to that end, shall have all powers of working the Administrative Officer from whom the appeal is taken.

Sec 1003 Hearings

1003.01 The Board shall fix a reasonable time for the hearing of an appeal or application for variance, giving public notice thereof at least ten (10) days' notice to parties in interest, and decide upon the appeal within a reasonable time after it is submitted. Each application or notice of appeal shall be accompanied by the fee advanced from time to time by Action of Appeal. At this hearing, any party may appear in person or by attorney.

1003.02 Upon the day for hearing any application or appeal, the Board may adjourn the hearing in order to permit the obtaining of additional information to cause such further notice as it seems proper to be served upon such other property owners as it decides may be substantially interested in said application or appeal. In the case of an adjourned hearing, persons previously notified and persons already heard need not be notified of the time of resumption of said hearing unless the Board so decides.

Sec 1004 Decisions of the Board

1004.01 The Board shall decide all applications and appeals within thirty (30) days after the final hearing thereon.

1004.02 A certified copy of the Board's decision shall be transmitted to all parties in interest. Such decision shall be binding upon the Administrative Officer and observed by him, and he shall incorporate the terms and conditions of the same in the permit to the applicant or appellant, whenever a permit is authorized by the Board.

Sec 1005 Powers of the Board of Appeals

The Board shall have the following powers:

1005.01 Appeals

To hear and decide appeals whereby it is alleged there is error in any interpretation, order, requirement, decision, or determination by the Administrative Officer in the administration and enforcement of the provision of this Ordinance.

1005.02 Variances

To authorize upon appeal, whereby reason of exceptional narrowness, shallowness, shape, or exceptional topographic conditions, or other extraordinary situations or conditions of a lot, the strict, application of the terms of this Zoning Ordinance would result in peculiar and exceptional difficulties or undue hardship upon the owner thereof, to authorize a variance from such strict application to relieve such difficulties or hardship provided said relief may be granted without substantial detriment to the public good and without substantially impairing the intent of the Ordinance, and providing further that no variance shall be granted unless the Board finds that all the following conditions exist.

- (A) The special circumstances or conditions applying to the building or land in question are peculiar to such lot or property and do not generally apply to other land or buildings in the vicinity.
- (B) The granting of the application is necessary for preservation and enjoyment of the substantial property right and not merely to serve as a convenience to the applicant.
- (C) The authorizing of the variance does not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public street, or increase the danger of fire or imperil the public safety or unreasonably diminish or impair the established property values within the surrounding areas, or in any way impair the health, safety, convenience, or general welfare to the inhabitants of the Village.

1005.03 Other Powers

The Board shall have such other powers as granted to it by the Village Charter.

CHAPTER 1100 ADMINISTRATION

Sec 1101 Zoning Permit Required

- 1101.01 No change in the use of land or in the use of buildings or structures and no alteration, change, addition, or expansion of a building or lot shall be made until, upon application to the Administrative Officer, a zoning permit is issued authorizing such change, alteration, addition, or expansion.
- 1101.02 Application for zoning permit shall be made to the Administrative Officer in form approved by the Commission, said application to supply the following information:
 - (A) Size and location of the lot or lots, showing lot lines, dimensions, and location of all applicable streets, alleys, easements, and other public ways.
 - (B) Size and location of the buildings and structures existing and proposed on the lot.
 - (C) Dimensions of all yards and open spaces.
 - (D) The types of use for which the structures and land will be used and such other information as may be necessary for the proper enforcement of these regulations.
- 1101.03 An application for zoning permit must be accompanied by an application for occupancy permit.
- 1101.04 Within ten (10) days of receipt of application for a zoning permit, the Administrative Officer shall approve or disapprove issuance of said permit according to this ordinance. Upon approval of the application, said permit shall be immediately issued to the applicant.
- 1101.05 Fees for zoning permits shall be set from time to time by resolution of the Council. Such fee shall be paid at the time of application and shall be intended to cover the cost of administration.
- 1101.06 Applications for Special Use Permits or Conditional Use Permits shall be made directly to the Board of Zoning Appeals, accompanied by a fee to cover the cost of publication, posting of notices, and other processing costs. Upon approval of a Special Use Permit or a Conditional Use Permit, the Administrative Officer shall issue zoning permits in accordance with said approval upon application by the owner, lessor, or other legal agents thereof. (The fee shall be ten dollars [\$10.00] for residential use and fifty dollars [\$50.00] for all other uses.)
- 1101.07 No permit shall take effect until twenty (20) days after the applicant posts said permit on the premises involved. Before said twenty (20) days have transpired, any affected party may appeal the decision of the Administrative Officer to the Board.

If such appeal is made, said zoning permit shall not be valid until action of the Board is final, and issuance of the permit is upheld.

Sec 1102 Certificate of Occupancy

- 1102.01 An application for Certificate of Occupancy shall accompany application for a zoning permit.
- 1102.02 No land or structure for which a zoning permit has been issued shall be used or occupied until the Administrative Officer, after change is completed, has issued a Certificate of Occupancy stating that the change complies with this zoning ordinance and the zoning certificate issued in compliance thereto.
- 1102.03 Within ten (10) days of completion of the change authorized by the zoning permit, and notification by the applicant thereof to the Administrative Officer, he must inspect the premises and if the change complies with this ordinance and the zoning permit, he shall then issue a Certificate of Occupancy.

Sec 1103 Enforcement and Penalties

- 1103.01 This ordinance shall be enforced by the Commission, Board, Council, or their authorized agents in accordance with applicable ordinances and laws.
- 1103.02 Any permit issued upon false statement of any fact which is material to said issuance, shall be immediately null and void; and the Administrative Officer may post said premises with a notice of revocation of said permit or certificate.
- 1103.03 In case of violation of this ordinance, the Administrative Officer shall notify the responsible person in writing; and if such person cannot thereby be reached, cause of notice of said violation to be conspicuously posted on the premises where the violation has occurred.
- 1103.04 Any person aggrieved by violation of this ordinance, by the Commission, the Board, the Council, or their authorized agent or agents, may institute appropriate legal remedy to abate such violation.
- 1103.05 Any person violating any provision of this ordinance may be deemed guilty of a misdemeanor and upon conviction thereof may be fined not more than one hundred dollars (\$100.00). Each day of violation may be considered a separate offense.

CHAPTER 1200 AMENDMENTS.

Sec 1201 General

Whenever the public necessity, convenience, general welfare, or good zoning practice require, the Council may by ordinance, after receipt of recommendation thereon from the Planning Commission, and subject to the procedures provided by law, amend, supplement or change the regulation, district boundaries, or classification of property, now or hereafter established by this ordinance.

Sec 1202 Procedure for Amendments

- 1202.01 Applications for any change of district boundaries or classification of property as shown on the Zoning Map, or requests for any change in the text of this ordinance, shall be submitted to the Commission at its public office, upon such forms, and shall be accompanied by such data and information, as may be prescribed for that purpose by the Commission, so as to assure the fullest practicable presentation of facts for the permanent record. Each such application shall be verified by at least one (1) of the owners or lessors of property within the area proposed to be reclassified attesting to the truth and correctness of all facts and information presented with the application. Applications for amendments initiated by the Commission or the Council shall be accompanied by its motion pertaining to such proposed amendment.
- 1202.02 Before submitting its recommendations on a proposed amendment to the Council, the Planning Commission shall hold a public hearing thereon, notice of which shall be given at least fifteen (15) days in advance of the hearing date by one (1) publication in a newspaper of general circulation in the area. The notice shall state the place or places and times at which the proposed amendment to the ordinance, including text and maps, may be examined and such other notices as are required by the Planning Commission or the Ohio Revised Code.
- 1202.03 In addition to the published notice as hereinbefore specified, the Planning Commission shall give notice of the time, place, and purpose of public hearings to be held by it on proposed amendments or supplements by mailing a postal card or letter of notice not less than ten (10) days prior to the date of hearing, to the owners of all property lying within two hundred (200) feet of any part of the property proposed to be changed. The failure to notify as provided in this section shall not invalidate any recommendation adopted hereunder; it being the intention of this section to provide notices to the persons substantially interested in the proposed change that an application is pending before the Commission, to make a change in the Zoning Map or the regulations set forth in this ordinance. If more than ten (10) parcels of land are affected by proposed amendments, the requirements for notices in this paragraph shall not apply.

- 1202.04 The Commission may recommend that the application be granted as requested, or it may recommend a modification of the zoning amendment requested, or it may recommend that the application not be granted. These recommendations shall then be certified to the Council within five (5) days of the Commission's determination. The Commission shall certify its recommendations to Council within thirty (30) days after receipt of the application or motion, whichever is the case.
- 1202.05 After receiving from the Commission the certification of the recommendations of the Commission on the proposed amendment, and before adoption of such amendment, the Council shall hold a public hearing thereon, at least thirty (30) days' notice of the time and place of which shall be given by one (1) publication in a newspaper of general circulation in the area.
- 1202.06 After completion of the hearing required in section 1202.05 above, the Council shall consider such recommendations and facts as it may have had presented to it, and thereafter vote on the passage of the proposed amendment or modification thereof. The Council may overrule or modify the recommendations of the Planning Commission by three-fourths (3/4) vote of the full membership of Council.

Sec 1203 Fees

At the time that an application for a change of zoning, as indicated in this Chapter or other actions required as listed, is filed with the Planning Commission as provided herein, there shall be deposited with the Clerk of said Commission, such fee as adopted by resolution of the Council to cover investigation, legal notices, and other expenses incidental to the determination of such matter. Fees are established as follows:

Zoning Permit:

R1 and R2 Districts	10.00
All Other Districts	50.00

Special Use Permit:

R1 Districts	No Special Uses Permitted
All Other Districts	50.00

Conditional Non-conforming Use Permit:

R1 Districts	10.00
All Other Districts	25.00

Variance/Appeal:

For Each Variance/Appeal	20.00
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Certificate of Occupancy:

Per Certificate	5.00
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Sign Permit:

Per Sign	5.00
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CHAPTER 1300 DEFINITIONS

For the purposes of this Ordinance, certain terms or words used herein shall be interpreted as follows:

The word "person" includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual.

The word "building" includes "structure" and vice versa.

The present tense includes the future tense, the singular number includes the plural, and the plural number includes the singular.

The word "dwelling" includes "residence" and vice versa.

The word "shall" is mandatory; the word "may" is permissive.

The words "used" or "occupied" include the words "intended," "designated," or "arranged to be used or occupied."

The word "lot" includes the words "plot" or "parcel."

The words "used for" include "designed for" and vice versa.

Except where specifically defined, all words used in this Ordinance shall carry their customary meanings.

Accessory Building. A detached subordinate building that is located on the same lot as a principal building and not used or designed for human occupancy; and the use of which is clearly incidental to the use of the land or to the use of the principal building.

Accessory Use. A use of land or building related to the primary use, which use is clearly subordinate to the principal use of the land or building, and which is not used for human occupancy.

Alley. A right-of-way, other than a street, road, crosswalk, or easement, that provides secondary access for the special accommodation of the abutting property.

Alteration. Any change in the nature of the use of land and/or buildings; and includes any change in supporting members, beams, bearing walls, columns, or girders which would tend to prolong the life of the building or use; but not including normal maintenance and repair.

Automobile Service Station. Any premises used for supplying gasoline or oil at retail direct to the motoring public, including minor accessories and services for automobiles conducted wholly within an enclosed building.

Automobile Sales Lot. Any premises used for the sale of new or used cars where any repair or service facilities are wholly within an enclosed building.

Basement. A story partly or wholly underground, where no more than one-half (1/2) the height of the story is above the average level of the adjoining ground.

Board. The Board of Zoning of the Village of Rio Grande, Ohio.

Building. A roofed "structure" for the shelter, support, enclosure, or protection of persons, animals, or property; where each part of such a structure that is separated from the rest by unbroken party walls is a separate building for the purposes of this Ordinance.

Building Area. The horizontally projected area of the buildings on a lot, excluding terraces, unenclosed porches, other open areas, and architectural appurtenances that project no more than two (2) feet.

Building Height. The vertical distance measured from the average level of the finished grade at the front of the building to the highest point of a flat roof; to the decline of a mansard roof or to the ridges of a gable, hip, or gambrel roof.

Corner Lot. A lot at the junction of, and abutting, two (2) intersecting or intercepting streets.

Detached Building. A building that has no structural connection with another building.

Districts, Zoning. Administrative tracts designating the uses to which land can legally be utilized. Boundaries of the districts are shown on the "zoning map" which is part of this Ordinance.

Dwelling. A building or part of a building that is used primarily as a place of abode, but not including a hotel, motel, lodging house, boarding house, or tourist home.

Dwelling, Single-family. A detached residential dwelling unit other than a mobile home, designed for and occupied by one (1) family only.

Dwelling, Two-family. A detached residential building containing two (2) dwelling units, designed for occupancy by not more than two (2) families.

Dwelling, Multiple-family. A residential building designed for or occupied by three (3) or more families, with the number of families in residence not exceeding the number of dwelling units provided.

Essential Services. The erection, construction, alteration, or maintenance by public utilities or municipal or other governmental agencies, of underground gas, electrical or water transmission or distribution systems collections, communication, supply or disposal systems, including poles, wires, mains, drains, sewers, pipes, traffic signals, hydrants, and other similar equipment and accessories, in connection therewith; reasonably necessary for the furnishing of adequate service by such public utilities or municipal or other governmental agencies or for the public health or safety or general welfare, but not including buildings.

Family. One or more persons occupying a single dwelling unit, provided that all members are related by blood or marriage, but not including an unrelated group or a group occupying a hotel, motel, club, nurses' home, dormitory, or fraternity or sorority house.

Front Lot Line. The line marking the boundary between the lot and the abutting street, easement for street purposes, lake, or watercourse; except that for a corner lot, means the line marking the boundary between the lot and the shorter of the abutting streets, easements for street purposes, lake or watercourse.

Garage, Private. An accessory building designed or used for the storage of motor-driven vehicles owned and used by the occupants of the building to which it is accessory. Not more than one (1) of the vehicles may be a commercial vehicle of more than two (2) ton capacity.

Ground Floor Area. The area of a building in square feet, as measured in a horizontal plane at the ground floor level within its largest outside dimensions, exclusive of open porches, breezeways, terraces, garages, and exterior stairways.

Highway, Major. A street or road of considerable continuity and used primarily as a traffic artery for intercommunication among areas.

Junk Storage and Sales (Salvage Operation). Any lot, land, or structure, or part thereof, used primarily for the collection, storage, and sale of waste paper, rags, scrap metal or discarded material, or for the collecting, storage, and salvaging of machinery or vehicles not in operating condition, and for the sale of parts thereof.

Junk Yard. Land or buildings where waste or discarded used property and materials is accumulated and is or may be salvaged for re-use or re-sale; including but not limited to automobiles, farm equipment, mobile homes, travel trailers, trucks, and/or parts thereof.

Lot. For purposes of this Ordinance, a lot is a parcel of land of at least sufficient size to meet minimum zoning requirements for use, coverage, and area, and to provide such yards and other spaces as are herein required. Such lot shall have frontage on an improved public street, or on an approved private street, and may consist of:

- (a) A single lot of record;
- (b) A portion of a lot of record;
- (c) A combination of complete lots of record, of complete lots of record and portions of lots of record, or of portions of lots of record;
- (d) A parcel of land described by metes and bounds;

provided that in no case of diversion or combination shall any residual lot or parcel be created which does not meet the requirements of this Ordinance.

Lot Coverage. Percentage of lot coverage shall be the ratio of enclosed ground floor area of all buildings to the horizontally projected area of the lot, expressed as a percentage.

Lot Frontage. The front of a lot shall be construed to be the portion nearest the street. For the purposes of determining yard requirements on corner lots and through lots, all sides of a lot adjacent to streets shall be considered frontage, and yards shall be provided as indicated under yards in this section.

Lots, Minimum Area of. The area of a lot computed exclusive of any portion of the right-of-way of any public thoroughfare.

Lot Measurements.

- (a) Depth of a lot shall be considered to be the distance between the mid-points of straight lines connecting the foremost points of the side lot lines in front and the rearmost points of the side lot lines in the rear.
- (b) Width of a lot shall be considered to be the distance between straight lines connecting front and rear lot lines at each side of the lot, measured across the rear of the required front yard, provided however, that the width between side lot lines at their foremost points (where they intersection with the street line) shall not be less than eighty percent (80%) of the required front yard, provided however, that the width between side lot lines at their foremost points (where they intersection with the street line) shall not be less than eighty percent (80%) of the required lot width except in the case of lots on the turning circle of streets, where the eighty percent (80%) requirement shall not apply.

Lots of Record. A lot which is part of a subdivision recorded in the office of the County Recorder, or a lot or parcel described by metes and bounds, the description of which has been so recorded.

Non-conforming Use. A use that exists at the time a provision of this Ordinance is passed but does not comply with it.

Parking Space, Off-street. For the purposes of this Ordinance, an off-street parking space shall consist of space adequate for parking an automobile with room for opening doors on both sides, together with properly related access to a public street or alley and maneuvering room. Required off-street parking areas for ten (10) or more automobiles shall have individual spaces marked, and shall be so designated, maintained, and regulated that no parking or maneuvering incidental to parking shall be on any public street, walk, or alley, and so that any automobile may be parked and unharmed without moving another. Off-street parking requirements will be considered to be met only when actual spaces meeting the requirements above are provided and maintained, improved in a manner appropriate to the circumstances of the case, and in accordance with all ordinances and regulations of the Village.

Person. A corporation, firm, partnership, association, organization, unit of government, or any other group that acts as a unit.

Planned Unit Development. Any subdivision of land where both individual building sites and common property devoted to parks, playgrounds, or school sites is designed and organized to be capable of satisfactory use and operation as a self-contained residential area. A Planned Unit Development may include shopping centers and planned industrial park developments.

Principal Building. The building in which the principal use of the lot on which it is located is conducted, including a building that is attached to such a building in a substantial way, such as by a roof and walls.

Private Garage. A garage whose principal use is to house motor vehicles for the accommodation of related dwelling units or related business establishments, located on the same lot as the principal use.

Private School. A school other than a public school.

Professional Office. An office used by members and the necessary personnel of a recognized profession such as architects, dentists, engineers, lawyers, physicians, surgeons, realty agents, insurance agents, and brokers.

Rear Lot Line. A line parallel to and farthest from the front lot line, being at least ten (10) feet long and lying wholly within the lot.

Residential Floor Area. The interior floor area of a dwelling, including stairways, halls, and closets, but not including basements, porches, garages, breezeways, or carports.

Sewage Disposal System, Group. An approved sewage disposal system which provides for the combined collection and disposal of sewage from a group of residential, commercial, or industrial buildings.

Side Lot Line. A lot boundary line other than a front or rear lot line.

Sign. Any device designated to inform or attract the attention of persons not on the premises on which the sign is located.

Signs, Number and Surface Area. For the purpose of determining number signs, a sign shall be considered to be a single display surface or display device containing elements organized, related, and composed to form a unit. Where matter is displayed in a random manner without organized relationship of elements, each element shall be considered to be a single sign.

The surface area of a sign shall be computed as including the entire area within a regular, geometric form or combinations of regular, geometric forms comprising all of the display area of the sign and including all of the elements of the matter displayed. Frames and structural members not bearing advertising matter shall not be included in computation of surface area.

Sign, On-site. A sign relating in its subject matter to the premises on which it is located, or to products, accommodations, services, or activities on the premises. On-site signs do not include signs erected by the outdoor advertising industry in the conduct of the outdoor advertising business.

Sign, Off-street. A sign other than an on-site sign.

Social Activities. Any building and land used for private or semi-private club activities, including lodges, fraternities, and similar activities.

Story. That portion of a building other than a cellar included between the surface of any floor and the surface of the floor next above it or if there is no floor above it, then the space between the floor and the ceiling next above it. A basement shall be counted as a story if it is used for living quarters or if two-thirds (2/3) of its volume is above the average level of the adjacent ground.

Street. A right-of-way that is established by record to provide the principal means of access to abutting property.

Street Line. The right-of-way line of a street.

Structure. Anything constructed or erected with a fixed location on the ground, or attached to something having a permanent location on the ground.

Structural Alterations. Any change which would tend to prolong the life of a supporting member of a structure such as bearing walls columns, beams, or girders.

Structural Change. A substantial change in a supporting member of a building, such as a bearing wall or partition, column, beam, or girder, or in an exterior wall or the roof.

Subdivision. The division of any parcel of land shown as a unit or as contiguous units on the last proceeding tax role into two (2) or more parcels, sites, or lots, any one (1) of which is less than five (5) acres for the purpose, whether immediate or future, of transfer of ownership, provided however, that the division or partition of land into parcels of five (5) acres or more not involving any new streets or easements of access, and the sale or exchange of parcels between adjoining lot owners, where such sale or exchange does not create additional building sites, shall be exempted; or the improvement of one (1) or more parcels of land for residential and commercial or industrial structures or groups of structures involving the division or allocation of land for the opening, widening, or extension of any street or streets except private streets serving industrial structures; the division or allocation of land as open spaces for common use by owners, occupants, or lease holders, or as easements for the extension and maintenance of public sewer, water, storm drainage or other public facilities.

Subdivision Minor. A subdivision of a parcel along an existing public dedicated street not involving the opening, widening, or extension of any street or road, and involving no more than five (5) lots after the original tract has been completely subdivided and provided that the same is not contrary to applicable plotting, subdividing, or zoning regulations.

Through Lot. A lot fronting on two (2) parallel or approximately parallel streets and includes lots fronting on both a street and a watercourse or lake.

Travel Trailer, Recreational Vehicle (RV's), and Campers. A vehicular, portable structure built on a motorized or towable chassis designed to be used as a temporary dwelling for travel and recreational purposes, having a body width not exceeding eight (8) feet.

Use. The employment or occupation of a building, structure, or land for a person's service, benefit, or enjoyment.

Variance. A relaxation of the terms of the Zoning Ordinance where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of actions of the applicant, a literal enforcement of the ordinance would result in unnecessary and undue hardship. As used in this Ordinance, a variance is authorized only for height, area, and size of structure or size of yards and open spaces; establishment or expansion of a use otherwise not permitted shall not be

allowed by variance, nor shall a variance be granted because of the presence of non-conformance in the zoning district or uses in an adjoining zoning district. The crucial factors of a variance are undue hardships and undue circumstances applying to the property. A variance is not justified unless both elements are present in the case.

Yard. A required open space other than a court unoccupied and unobstructed by any structure or portion of a structure from three (3) feet above the general ground level of the graded lot upward, provided however, that fences, walls, poles, posts, and other customary yard accessories, ornaments, and furniture may be permitted in any yard, subject to height limitations and requirements limiting obstruction of visibility.

Yard, Front. A yard extending between side lot lines across the front of a lot adjoining a public street. In any required front yard, no fence or wall shall be permitted which materially impedes vision across such yard above the height of three (3) feet, and no hedge or other vegetation shall be permitted which materially impedes vision across such yard between the height of three (3) feet and ten (10) feet.

In the case of through lots, unless the prevailing front pattern on adjoining lots indicates otherwise, front yards shall be provided on all frontages. Where one (1) of the front yards that would normally be required on a through lot is not in keeping with the prevailing yard pattern, the administration officer may waive the requirement for the normal front yard and substitute therefor a special yard requirement which shall not exceed the average of the yards provided on adjacent lots.

In the case of corner lots which do not have reversed frontage, a front yard of the required depth shall be provided in accordance with the prevailing yard pattern and second front yard of half the depth required generally for front yards in the district shall be provided on the other frontage.

In the case of corner lots with more than two (2) frontages, the administration officer shall determine the front yard requirements, subject to the following limitations: (1) at least one (1) front yard shall be provided having the full depth required generally in the district; (2) no other front yard on such lot shall have less than half the full depth required generally.

The minimum depth of required front yards shall be measured horizontally from the property line or right-of-way line to the main building or any projection thereof, other than the projection of the usual uncovered steps, uncovered balconies, or uncovered porch.

Yard, Side. A yard extending from the rear line of the required front yard to the rear lot line, or in the absence of any clearly defined rear lot line to the point on the lot farthest from the intersection of the lot line involved with the public street. In the case of through lots, side yards shall extend from the rear lines of front yards required. In the case of corner lots, yards remaining after full and half-depth front yards have been established shall be considered side yards. Width of a required side yard shall be measured in such a manner that the yard established is a strip of the minimum width required by district regulations with its inner edge parallel with the side lot line.

Yard, Rear. A yard extending across the rear of the lot between inner side yard lines. In the case of through lots and corner lots, there will be no rear yards, but only front and side yards. Depth of a required rear yard shall be measured in such a manner that the yard established is a strip of the minimum width required by district regulations with its inner edge parallel with the rear lot line.

Zoning Certificate. The document issued by the city zoning officer authorizing the use of the land or building.

CHAPTER 1400

VALIDITY AND EFFECTIVE DATE

Sec 1400 Validity

If an article, section, subsection, paragraph, sentence, or phrase of this Ordinance is for any reason held to be invalid by a Court of Competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

Sec 1401 Effective Date

This Ordinance shall take effect and be in force from and after the earliest period allowed by law following its approval by the Mayor.

Passed: June 4, _____, 1991

ATTEST: Maura Beck
Clerk

APPROVED:

Mayor

Pres Pro-Term

4 June 1991

Village Solicitor

PROPOSED ZONING REGULATIONS TO BE ADDED TO CURRENT ZONING LAW
OF THE VILLAGE OF RIO GRANDE.

A. FIRE DETECTION/PROTECTION DEVICES IN ALL DISTRICTS

1. SMOKE ALARMS AND FIRE EXTINGUISHERS TO BE RECOMMENDED IN ALL OWNER-OCCUPIED STRUCTURES IN ALL DISTRICTS. IF RENTED, SMOKE ALARMS AND EXTINGUISHERS TO BE REQUIRED AT TWO MINIMUM.
2. SMOKE ALARMS AND FIRE EXTINGUISHERS REQUIRED IN EVERY RENTAL UNIT OF MULTI-UNIT STRUCTURES IN ALL DISTRICTS.
3. SMOKE ALARMS AND FIRE EXTINGUISHERS REQUIRED IN COMMERCIAL, INDUSTRIAL, AND EDUCATIONAL UNITS IN ACCORDANCE WITH STATE/FEDERAL REGULATIONS.
4. PROPERTY/BUILDING OWNERS CAN REQUEST (AT NO COST) AN INSPECTION FROM THE RGVFD FOR ASSISTANCE IN DETERMINING MINIMUM NUMBER OF ALARMS/EXTINGUISHERS AND THEIR PROPER PLACEMENT THROUGHOUT THE STRUCTURE
5. MINIMUM FIRE EXTINGUISHER TYPE IS A-B-C.
6. SMOKE/FIRE ALARMS SHALL BE KEPT IN OPERATING ORDER.
7. IN THE CASE OF COMMERCIAL, INDUSTRIAL, AND EDUCATIONAL UNITS, THE VILLAGE SHALL REQUIRE (IN ADDITION TO STATE REGULATIONS) AT LEAST TWO (2) DEPA-APPROVED CHECK VALVES BE INSTALLED TO THE FIRE SUPPRESSION SYSTEM IF SIAMESE Y'S ARE USED AS PART OF THE FIRE PROTECTION/SUPPRESSION SYSTEM.
8. SPRINKLER SYSTEMS MAY NOT BE COMPATIBLE WITH THE VILLAGE WATER DELIVERY SYSTEM. ALL CONTRACTORS AND OR BUILDERS ARE REQUIRED TO CONTACT THE ZONING BOARD IN ADVANCE OF SUBMISSION OF THE FINAL STRUCTURE DESIGN.

B. OUTSIDE WATERING SYSTEMS

1. ANY CONSTRUCTION OF OR ADDITION OF BELOW-GROUND OR AUTOMATED LAWN WATERING SYSTEMS MUST BE APPROVED BY THE ZONING BOARD.

C. TABLE I SHALL BE CHANGED ACCORDING TO THE ATTACHED.

D. SECTION 704.01: (B) SHALL BE CHANGED TO **5 BUILDINGS PER GROSS ACRE.**

E. SECTION 704.02: SHALL BE CHANGED TO **"... FIVE (5) BUILDINGS PER GROSS ACRE."**

F. CUTS AND BORES - PUBLIC RIGHT-OF-WAY

1. ANY AND ALL CONSTRUCTION, ALTERATIONS, UTILITY LOCATION/RELOCATION WHICH REQUIRE CUTS AND/OR BORES ON OR UNDER PUBLIC RIGHT-OF-WAY SHALL BE SUBJECT TO THE FOLLOWING:

- * WHEN POSSIBLE, SEVENTY-TWO (72) HOURS NOTICE SHALL BE GIVEN TO VILLAGE UTILITY OFFICIALS.
- * IN EMERGENCY SITUATIONS,, IMMEDIATE NOTICE SHALL BE GIVEN THE VILLAGE POLICE, UTILITY OFFICIALS, AND ANY OTHER AGENCY DEEMED APPROPRIATE.
- * ANY AND ALL CUTS/BORES SHALL BE SUPERVISED BY VILLAGE OFFICIALS. SPECIFIC DETAILS WILL BE PROVIDED BY VILLAGE OFFICIALS AS TO THE RE-CONSTRUCTION REQUIREMENTS OF PUBLIC RIGHT-OF-WAY.
- * UPON COMPLETION OF THE CUT/BORE RECONSTRUCTION, THE CONTRACTOR AND/OR AGENT THEREOF SHALL GUARANTEE/WARRANTY THE RECONSTRUCTION FOR A PERIOD OF ONE (1) YEAR AT NO COST TO THE VILLAGE.
- * FAILURE TO ABIDE BY THE REGULATIONS SET FORTH IN THIS SECTION SHALL CARRY A FINE OF FIVE-HUNDRED DOLLARS (\$ 500.00) OR THE ACTUAL COST OF REPAIR WHICHEVER IS THE LESSOR.