



City of Dublin

Office of the Clerk of Council

5200 Emerald Parkway • Dublin, OH 43017-1090

Phone: 614-410-4442

Memo

To: Members of Dublin City Council
From: Jennifer Delgado, Acting Clerk of Council
Jennifer Readler, Law Director
Date: February 16, 2021
Re: Ordinance 05-21 – Dublin Codified Ordinances Update

Summary

The attached ordinance adopts a supplement (S-49) to the Dublin Code of Ordinances. This supplement includes local legislation approved by City Council through December 30, 2020 and State legislation current through September 14, 2020.

Recommendation

Staff recommends that Council approve Ordinance 05-21 at the second reading/public hearing on March 8, 2021. Per the Charter, a recodification is effective upon passage.

**AN ORDINANCE ADOPTING AND ENACTING A
SUPPLEMENT (S-49) TO THE CODE OF ORDINANCES
FOR THE CITY OF DUBLIN, OHIO**

WHEREAS, American Legal Publishing Corporation of Cincinnati, Ohio has completed the current supplement (S-49) to the Code of Ordinances of the City of Dublin, which contains all ordinances of a general and permanent nature enacted by the City of Dublin through December 30, 2020; and

WHEREAS, American Legal Publishing Corporation has recommended the revision or addition of certain sections of the Code of Ordinances, which are based on or make reference to sections of the Ohio Revised Code; and

WHEREAS, it is the intent of the Legislative Authority to accept these updated sections in accordance with the changes of the law of the State of Ohio through September 14, 2020.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Dublin, State of Ohio, _____ of the elected members concurring, that:

Section 1. The current supplement (S-49) to the Dublin Code of Ordinances as submitted by American Legal Publishing Corporation of Cincinnati, Ohio, and as on file with the Clerk of Council, be and the same hereby is adopted by reference as if set out in its entirety.

Section 2. Such supplement shall be deemed published as of the day of its adoption and approval by the Legislative Authority, and the Clerk of Council is hereby authorized and ordered to insert such supplement into the copy of the Code of Ordinances kept on file in the Office of the Clerk of Council.

Section 3. This Ordinance is effective upon passage, in accordance with Section 4.04(a)(5) of the Revised Charter.

Passed this _____ day of _____, 2021.

Mayor - Presiding Officer

ATTEST:

Clerk of Council

CITY OF DUBLIN, OHIO

CODE OF ORDINANCES

VOLUME I

~~2021 S-49~~~~2020 S-48~~ Supplement contains:
Local legislation current through ~~12-31-206-30-20~~, and
State legislation current through ~~9-14-206-19-20~~ ✓

Published by:
AMERICAN LEGAL PUBLISHING CORPORATION
525 Vine Street ✧ Suite 310 ✧ Cincinnati, Ohio 45202
1-800-445-5588 ✧ www.amlegal.com

CITY OF DUBLIN, OHIO

CODE OF ORDINANCES

VOLUME II

2021 S-49~~2020 S-48~~ Supplement contains:
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CITY OF DUBLIN, OHIO

CODE OF ORDINANCES

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Ordinance No. 28-20

**AN ORDINANCE ADOPTING AND ENACTING A
SUPPLEMENT (S-48) TO THE CODE OF ORDINANCES
FOR THE CITY OF DUBLIN, OHIO**

WHEREAS, American Legal Publishing Corporation of Cincinnati, Ohio has completed the current supplement (S-48) to the Code of Ordinances of the City of Dublin, which contains all ordinances of a general and permanent nature enacted by the City of Dublin through June 30, 2020; and

WHEREAS, American Legal Publishing Corporation has recommended the revision or addition of certain sections of the Code of Ordinances, which are based on or make reference to sections of the Ohio Revised Code; and

WHEREAS, it is the intent of the Legislative Authority to accept these updated sections in accordance with the changes of the law of the State of Ohio through June 19, 2020.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Dublin, State of Ohio, 6 of the elected members concurring, that:

SECTION 1. The current supplement (S-48) to the Dublin Code of Ordinances as submitted by American Legal Publishing Corporation of Cincinnati, Ohio, and as on file with the Clerk of Council, be and the same hereby is adopted by reference as if set out in its entirety.

SECTION 2. Such supplement shall be deemed published as of the day of its adoption and approval by the Legislative Authority, and the Clerk of Council is hereby authorized and ordered to insert such supplement into the copy of the Code of Ordinances kept on file in the Office of the Clerk of Council.

SECTION 3. This Ordinance is effective upon passage, in accordance with Section 4.04(a)(5) of the Revised Charter.

Passed this 26th day of October, 2020.

/s/ [Signature]
Mayor - Presiding Officer

ATTEST:

/s/ [Signature]
Clerk of Council

Chapter

TITLE IX: GENERAL REGULATIONS

- 90. Alarm Systems
- 91. Animals
- 92. Cemeteries
- 93. Fire Prevention
- 94. Health and Sanitation
- 95. Nuisances; Weeds
- 96. Parks and Recreation
- 97. Streets and Sidewalks
- 98. Right-of-Way Management
- 99. Wireless Communications Regulations
- 100. Cable Service and Competitive Video Service

TITLE XI: BUSINESS REGULATIONS

- 110. General Licensing Provisions
- 111. Alcoholic Beverages
- 112. Amusements
- 113. Child Day-Care Centers
- 114. Oil and Gas Well Drilling
- 115. Peddlers and Solicitors
- 116. Seasonal Businesses
- 117. [Reserved]
- 118. Weapons Sales
- 119. Yard Sales
- 120. Sexually Oriented Business Establishments
- 121. Medical Marijuana
- ✓122. Short-Term Rental Operations

TITLE XIII: GENERAL OFFENSES

- 130. General Provisions
- 131. Offenses Against Property
- 132. Offenses Against Public Peace
- 133. Offenses Against Morals
- 134. Gambling
- 135. Offenses Against Persons
- 136. Offenses Against Justice and Administration
- 137. Weapons Control
- 138. Drug Offenses

passed 12-10-07; Am. Ord. 82-08, passed 12-8-08; Am. Ord. 49-09, passed 11-2-09; Am. Ord. 39-10, passed 11-1-10; Am. Ord. 54-11, passed 10-10-11; Am. Ord. 65-12, passed 11-5-12; Am. Ord. 94-13, passed 12-9-13; Am. Ord. 111-14, passed 12-8-14; Am. Ord. 49-15, passed 7-13-15; Am. Ord. 76-15, passed 11-2-15; Am. Ord. 42-16, passed 11-7-16; Am. Ord. 71-17, passed 11-6-17; Am. Ord. 65-18, passed 10-8-18; Am. Ord. 63-19, passed 11-18-19; **Am. Ord. 45-20, passed 11-16-20**)

§ 35.81 FINDINGS AND INTENT.

(A) It is the intent of the City Council to ascertain and recover the specified percentages of full costs from fees, charges, and regulatory license fees levied in providing the regulation, products, or services set forth in this chapter.

(B) The fee and service charge revenue/cost comparison system set forth in this chapter provides a mechanism for ensuring that fees adopted by the city for services rendered do not exceed the reasonable estimated cost for providing the services, unless otherwise noted.

(C) It is the intent of the City Council to achieve a more equitable and fair mix for financing services set forth in this chapter in order to reduce or eliminate subsidizing these services with general tax revenue; thereby, allowing those general tax revenues to be used for general services, including infrastructure maintenance and replacement.

(Ord. 51-94, passed 10-17-94; Am. Ord. 52-96, passed 8-5-96; Am. Ord. 97-97, passed 7-21-97; Am. Ord. 118-98, passed 12-7-98; Am. Ord. 125-00, passed 11-6-00; Am. Ord. 127-01, passed 11-5-01; Am. Ord. 129-02, passed 11-4-02; Am. Ord. 126-03, passed 12-15-03; Am. Ord. 79-04, passed 12-13-04; Am. Ord. 73-05, passed 12-12-05; Am. Ord. 64-06, passed 11-20-06; Am. Ord. 90-07, passed 12-10-07; Am. Ord. 82-08, passed 12-8-08; Am. Ord. 49-09, passed 11-2-09; Am. Ord. 39-10, passed 11-1-10; Am. Ord. 54-11, passed 10-10-11; Am. Ord. 65-12, passed 11-5-12; Am. Ord. 94-13, passed 12-9-13; Am. Ord. 111-14, passed 12-8-14; Am. Ord. 49-15, passed 7-13-15; Am. Ord. 76-15, passed 11-2-15; Am. Ord. 42-16, passed 11-7-16; Am. Ord. 71-17, passed 11-6-17; Am. Ord. 65-18, passed 10-8-18; Am. Ord. 63-19, passed 11-18-19; **Am. Ord. 45-20, passed 11-16-20**)

§ 35.82 DELEGATION OF AUTHORITY AND DIRECTION TO CITY MANAGER.

(A) The City Manager is hereby delegated the authority and directed to provide documents to the City Council to implement its policy to adjust fees and charges to recover the percentage of full costs as established in this chapter.

(B) **FULL COSTS** shall be as defined in § 35.80. In adjusting fees and charges, the City Manager shall act in an administrative and ministerial capacity and shall consider only the standards and criteria established by this chapter and the applicable state laws.

(Ord. 51-94, passed 10-17-94; Am. Ord. 52-96, passed 8-5-96; Am. Ord. 97-97, passed 7-21-97; Am. Ord. 118-98, passed 12-7-98; Am. Ord. 125-00, passed 11-6-00; Am. Ord. 127-01, passed 11-5-01;

Am. Ord. 129-02, passed 11-4-02; Am. Ord. 126-03, passed 12-15-03; Am. Ord. 79-04, passed 12-13-04; Am. Ord. 73-05, passed 12-12-05; Am. Ord. 64-06, passed 11-20-06; Am. Ord. 90-07, passed 12-10-07; Am. Ord. 82-08, passed 12-8-08; Am. Ord. 49-09, passed 11-2-09; Am. Ord. 39-10, passed 11-1-10; Am. Ord. 54-11, passed 10-10-11; Am. Ord. 65-12, passed 11-5-12; Am. Ord. 94-13, passed 12-9-13; Am. Ord. 111-14, passed 12-8-14; Am. Ord. 49-15, passed 7-13-15; Am. Ord. 76-15, passed 11-2-15; Am. Ord. 42-16, passed 11-7-16; Am. Ord. 71-17, passed 11-6-17; Am. Ord. 65-18, passed 10-8-18; Am. Ord. 63-19, passed 11-18-19; Am. Ord. 45-20, passed 11-16-20)

§ 35.83 SCHEDULE OF FEES AND SERVICE CHARGES.

(A) The City Manager, Director of Finance, and each city department head, under the direction of the City Manager, shall review annually the fees and service charges, and provide an adjusted fee or charge schedule to the City Council for its consideration so as to recover the listed percentage of full costs necessary to provide the listed regulation, product or service as modified by the notes following the list of services. These fees, unless otherwise specified, are for City of Dublin services and are in addition to any charges made by any other governmental agencies.

(B) The services as listed in this section shall be as defined in the document entitled "Cost Study for the City of Dublin, Ohio" as produced by the City of Dublin.

(C) All fees and charges set pursuant to this chapter and section shall take effect as specified in this subchapter.

(D) The City Manager may vary the review schedule listed in this section if, in the judgment of the City Manager and a directly affected and requesting department head, a gross inequity would be perpetrated by not revising a fee or charge prior to the next rate review. Any such special rate review shall be reported to the City Council at its next succeeding meeting where the City Council may revise the fee or charge by ordinance.

(E) If fees are not collected at the time that the service is provided, the city has the right to pursue collection of any of the fees listed in this subchapter, including certification to the County Auditor, remittance to a collection service, or any other appropriate pursuit for payment. When additional fees need to be levied and collected for city-provided services in the amount of \$10 or less, or when a refund is due in the amount of \$10 or less, a refund or additional charge need not be made.

(F) Should it become necessary to establish a new service fee or charge during the year, the City Manager may set the fee administratively. Any such fees set by the City Manager shall be reported to the City Council at its next succeeding meeting where the City Council may revise the fee or charge by ordinance. The new service will then be included and analyzed in the next rate review.

(Ord. 51-94, passed 10-17-94; Am. Ord. 122-94, passed 1-23-95; Am. Ord. 113-95, passed 12-18-95; Am. Ord. 52-96, passed 8-5-96; Am. Ord. 97-97, passed 7-21-97; Am. Ord. 118-98, passed 12-7-98; Am. Ord. 104-99, passed 9-20-99; Am. Ord. 137-99, passed 2-7-00; Am. Ord. 125-00, passed 11-6-00;

Am. Ord. 127-01, passed 11-5-01; Am. Ord. 129-02, passed 11-4-02; Am. Ord. 126-03, passed 12-15-03; Am. Ord. 12-04, passed 3-1-04; Am. Ord. 79-04, passed 12-13-04; Am. Ord. 73-05, passed 12-12-05; Am. Ord. 64-06, passed 11-20-06; Am. Ord. 90-07, passed 12-10-07; Am. Ord. 82-08, passed 12-8-08; Am. Ord. 49-09, passed 11-2-09; Am. Ord. 39-10, passed 11-1-10; Am. Ord. 54-11, passed 10-10-11; Am. Ord. 65-12, passed 11-5-12; Am. Ord. 94-13, passed 12-9-13; Am. Ord. 111-14, passed 12-8-14; Am. Ord. 49-15, passed 7-13-15; Am. Ord. 76-15, passed 11-2-15; Am. Ord. 42-16, passed 11-7-16; Am. Ord. 71-17, passed 11-6-17; Am. Ord. 65-18, passed 10-8-18; Am. Ord. 63-19, passed 11-18-19; Am. Ord. 45-20, passed 11-16-20)

Editor's note:

A copy of the most recent ordinance establishing current city fees and service charges is available at city offices during normal business hours.

§ 35.84 FEE APPEALS AND WAIVERS.

Irrespective of the percentage of recovery and the "notes" in § 35.83, the City Council reserves the right to waive any fee in order to encourage development projects that enhance the city's tax base as outlined in the city's Economic Development Strategy. The City Manager may recommend further waivers or fee adjustments, based on hardship, to be accepted or rejected by City Council at its next regularly scheduled meeting.

(Ord. 51-94, passed 10-17-94; Am. Ord. 52-96, passed 8-5-96; Am. Ord. 97-97, passed 7-21-97; Am. Ord. 118-98, passed 12-7-98; Am. Ord. 125-00, passed 11-6-00; Am. Ord. 127-01, passed 11-5-01; Am. Ord. 129-02, passed 11-4-02; Am. Ord. 126-03, passed 12-15-03; Am. Ord. 25-04, passed 4-19-04; Am. Ord. 79-04, passed 12-13-04; Am. Ord. 73-05, passed 12-12-05; Am. Ord. 64-06, passed 11-20-06; Am. Ord. 90-07, passed 12-10-07; Am. Ord. 82-08, passed 12-8-08; Am. Ord. 49-09, passed 11-2-09; Am. Ord. 39-10, passed 11-1-10; Am. Ord. 54-11, passed 10-10-11; Am. Ord. 65-12, passed 11-5-12; Am. Ord. 94-13, passed 12-9-13; Am. Ord. 111-14, passed 12-8-14; Am. Ord. 49-15, passed 7-13-15; Am. Ord. 76-15, passed 11-2-15; Am. Ord. 42-16, passed 11-7-16; Am. Ord. 71-17, passed 11-6-17; Am. Ord. 65-18, passed 10-8-18; Am. Ord. 63-19, passed 11-18-19; Am. Ord. 45-20, passed 11-16-20)

INVESTMENT POLICY

§ 35.95 INTRODUCTION.

The purpose of this investment policy is to establish the definition(s) of eligible investments of the City of Dublin, Ohio (hereinafter referred to as the "city"), including guidelines and parameters regarding the investment management of the city's investment funds [hereinafter referred to as the "portfolio"]. This investment policy, as approved by City Council, shall serve to define authorized

§ 51.64 RATE SCHEDULE FOR USER CHARGES.

(A) The following rate is the charge for sewer service and use and is based on metered consumption of water for the area of the city served by the City of Columbus:

Rate Per 1,000 Cubic Feet

Effective Date

January 1, 2021

\$12.75

Rate Per 1,000 Cubic Feet

		<i>Debt</i>	
<i>Effective Date</i>	<i>OM&R</i>	<i>Service</i>	<i>Total</i>
01-01-17	\$6.94	\$4.91	\$11.85
01-01-18	\$6.92	\$5.43	\$12.35

(B) These rates are in addition to the sewer rates charged by the City of Columbus.

(C) The following rate is the charge for sewer service and use for the area of the city serviced by Delaware County:

Flat Rate Per Month

Effective Date

January 1, 2021

\$14.00

Flat Rate Per Month

		<i>Debt</i>	
<i>Effective Date</i>	<i>OM&R</i>	<i>Service</i>	<i>Total</i>
01-01-17	\$7.62	\$5.38	\$13.00
01-01-18	\$7.62	\$5.98	\$13.60

(D) These rates are in addition to the sewer rates charged by Delaware County.

(E) Fees received from use of the sewer system shall be deposited in the Sewer Fund and used for the operation and maintenance of the system, including capital improvements and any related debt service.

(Ord. 47-97, passed 4-14-97; Am. Ord. 94-07, passed 12-10-07; Am. Ord. 64-09, passed 11-16-09; Am. Ord. 56-11, passed 10-24-11; Am. Ord. 95-13, passed 12-9-13; Am. Ord. 75-15, passed 11-2-15; Am. Ord. 72-17, passed 11-6-17; Am. Ord. 31-20, passed 11-9-20)

§ 51.65 COLLECTION OF USER CHARGES.

§ 52.06 WATER SURCHARGES.

(A) The following rates are charges for water service and use and are based on metered consumption of water:

<i>Effective Date</i>	<i>Rate Per 1,000 Cubic Feet</i>
January 1, 2015	\$3.30
January 1, 2016	\$3.05
January 1, 2017	\$3.05
January 1, 2021	\$3.15

(B) These rates are in addition to the water rates charged by the City of Columbus.

(C) Moneys received from the use of the water system shall be deposited in a separate fund (Water Fund) and used for the payment of the costs to operate and maintain the system and to make capital improvements to the system.

('80 Code, § 929.05) (Ord. 13-92, passed 4-20-92; Am. Ord. 94-07, passed 12-10-07; Am. Ord. 64-09, passed 11-16-09; Am. Ord. 56-11, passed 10-24-11; Am. Ord. 75-15, passed 11-2-15; Am. Ord. 31-20, passed 11-9-20)

§ 52.07 CAPACITY CHARGES.

(A) No person shall make a service connection or any part thereof, unless he has been issued a permit to do so by the city.

(B) The following fees shall be charged for permits issued to tap into the water system:

<i>CAPACITY CHARGES</i>	
<i>Diameter of Water Tap (inches)</i>	<i>Effective Date 01/01/13</i>
3/4	\$1,890
1	3,090
1½	7,370
2	13,110
3	28,070
4	44,790
6	99,650

(7) Operate in this state a motor vehicle knowing that the certificate of title to the vehicle or ownership of the vehicle as otherwise reflected in the automated title processing system has been canceled.

(B) This section does not apply to persons engaged in the business of warehousing or transporting motor vehicles for the purpose of salvage disposition.
(R.C. § 4505.18) ('80 Code, § 335.08)

(C) Whoever violates this section is guilty of a misdemeanor of the second degree.
('80 Code, § 335.99) Penalty, see § 70.99

§ 71.09 DISPLAY OF LICENSE PLATES.

(A) (1) No person who is the owner or operator of a motor vehicle shall fail to display in plain view on the rear of the motor vehicle a license plate that displays the distinctive number and registration mark assigned to the motor vehicle by the Ohio Director of Public Safety, including any county identification sticker and any validation sticker issued under R.C. §§ 4503.19 and 4503.191, **except that a commercial tractor shall display the license plate and validation sticker on the front of the commercial tractor.**

(2) The license plate shall be securely fastened so as not to swing, and shall not be covered by any material that obstructs its visibility.

(3) No person to whom a temporary license placard or windshield sticker has been issued for the use of a motor vehicle under R.C. § 4503.182, and no operator of that motor vehicle, shall fail to display the temporary license placard in plain view from the rear of the vehicle either in the rear window or on an external rear surface of the motor vehicle, or fail to display the windshield sticker in plain view on the rear window of the motor vehicle. No temporary license placard or windshield sticker shall be covered by any material that obstructs its visibility.
(R.C. § 4503.21(A))

TITLE XI: BUSINESS REGULATIONS

Chapter

- 110. GENERAL LICENSING PROVISIONS**
- 111. ALCOHOLIC BEVERAGES**
- 112. AMUSEMENTS**
- 113. CHILD DAY-CARE CENTERS**
- 114. OIL AND GAS WELL DRILLING**
- 115. PEDDLERS AND SOLICITORS**
- 116. SEASONAL BUSINESSES**
- 117. [RESERVED]**
- 118. WEAPONS SALES**
- 119. YARD SALES**
- 120. SEXUALLY ORIENTED BUSINESS ESTABLISHMENTS**
- 121. MEDICAL MARIJUANA**
- ✓ **122. SHORT-TERM RENTAL OPERATIONS**

CHAPTER 122: SHORT-TERM RENTAL OPERATIONS

Section

- 122.01 Definitions
- 122.02 Cap on rental nights
- 122.03 Registration required
- 122.04 Short-term rental registration, new and renewal
- 122.05 Short-term rental operator; requirements
- 122.06 Grounds for denial
- 122.07 Revocation of registration
- 122.08 Appeal of denial or revocation of registration
- 122.09 Authority to conduct inspections
- 122.10 Transfer of short-term rental registration prohibited
- 122.11 Discrimination prohibited
- 122.12 Severability

- 122.99 Penalty

§ 122.01 DEFINITIONS.

For the purposes of this chapter, the following terms, phrases, and words shall have the meanings given to them herein.

DWELLING. Any building or structure which is occupied or intended for occupancy in whole or in part as a home, residence, or sleeping place for one or more persons.

GUESTROOM. A room offered to the public for a fee that contains, at a minimum, provisions for sleeping.

HOSTING PLATFORM. A person or entity that participates in the transient rental business by providing, and collecting or receiving a fee for, booking service through an online platform that allows an operator to advertise the transient rental unit through a website hosted by the hosting platform. Examples include, but are not limited to, Airbnb, VRBO, and HomeAway.

PERMANENT OCCUPANT. Persons who reside in a dwelling more than 51 % of the time during a calendar year; the dwelling in which the persons reside shall be referred to as their primary residence.

PRIMARY RESIDENCE. A residence that is the usual place of return for housing as documented by at least two of the following: motor vehicle registration, driver's license, tax documents, lease copy or a utility bill. An owner or permanent occupant can only have one primary residence.

SHORT-TERM RENTAL. Any room or dwelling that is rented wholly or partly for a fee for less than 30 consecutive days by persons other than the permanent occupant or owner from which the

permanent occupant or owner receive monetary compensation, whether such compensation is paid directly by the short-term rental guest or is collected and remitted to the permanent occupant or owner by a hosting platform. **SHORT-TERM RENTAL** does not include a room in any hotel or motel, as defined elsewhere in the Codified Ordinances. **SHORT-TERM RENTAL** also does not include corporate housing, meaning temporary housing provided through an entity for which an affidavit in a form satisfactory to the Planning Director has been completed attesting that such entity is engaged primarily in the business of providing temporary housing services for corporate clients, regardless of duration.

SHORT-TERM RENTAL GUESTS. Persons renting temporary lodging from a short-term rental host, or through a hosting platform on behalf of the short-term rental host, for less than 30 consecutive days.

SHORT-TERM RENTAL OPERATION or OPERATION OF A SHORT-TERM RENTAL. The occupancy for a fee of any room or dwelling in a short-term rental by a transient guest.

TRANSIENT GUESTS. Persons occupying a room or rooms for sleeping accommodations for less than 30 consecutive days.
(Ord. 73-19, passed 10-12-20)

§ 122.02 CAP ON RENTAL NIGHTS.

(A) Short-term rental operators are prohibited from renting any room or dwelling to transient guests for more than two weeks total in a calendar year. The short-term rental may be rented up to two times per year, in increments up to seven days each.

(B) If a property owner wishes to rent a room or dwelling for more than two weeks in a calendar year, such rental must be to the same tenant and for a lease term of at least 30 consecutive days.
(Ord. 73-19, passed 10-12-20) *Penalty, see § 122.99*

§ 122.03 REGISTRATION REQUIRED.

(A) No person, including but not limited to an owner, operator, manager, or employee shall engage in, conduct, or carry on, or permit to be engaged in, conducted or carried on, in or upon any premises in the City of Dublin, the operation of a short-term rental in a calendar year without registering in accordance with this chapter.

(B) A registration application may be submitted at any time to the Planning Director, or his/her designee. If the registration application is approved, such registration shall take effect on the day of approval and shall expire on December 31st of the year approved; provided, however, that if an initial registration application is approved on or after September 1, the registration shall be effective until December 31 of the next calendar year.

(C) (1) Registration to operate a short-term rental shall be renewed by the applicant before the end of each calendar year.

(2) The deadline for submitting an application for renewal shall be the first Monday of November of the year in which the registration is set to expire. Failure to renew shall result in expiration on December 31st. If a permit is successfully renewed, it shall be in effect for the next calendar year, beginning on January 1st and expiring on December 31st of the same year.

(D) The short-term rental operator must maintain a copy of the permit on premises.

(E) Bed and breakfast establishments lawfully operating within the city, as defined by § 153.002(B)(2)(a) and § 153.059 of the Codified Ordinances, shall not be subject to the requirements of this chapter provided that such establishments were in operation prior to the effective date of Ordinance 73-19, and have not ceased operation for more than 90 consecutive days.
(Ord. 73/19, passed 10-12-20) *Penalty, see § 122.99*

§ 122.04 SHORT-TERM RENTAL REGISTRATION, NEW AND RENEWAL.

(A) An application for a short-term rental permit, and/or renewal of a permit, shall be made to the Planning Director, or his/her designee, upon approved forms, for an application fee of \$225. City Council shall have authority to amend the fee amount from time to time to reflect the costs of administering this chapter.

(B) The application for a permit to operate a short-term rental shall contain the following information:

(1) Name of the applicant, including mailing address, telephone number, and email address;

(2) Sufficient information to demonstrate compliance with either the permanent occupancy or ownership requirements outlined in § 122.01;

(3) The names of all hosting platforms that are used by the short-term rental host and proof of rental insurance for the unit rental;

(4) The names of all advertising outlets in which the short-term rental host intends to advertise such rental if the short-term rental host is not using a hosting platform;

(5) The maximum number of occupants that will be accommodated at the short-term rental, not to exceed two per bedroom;

(6) The maximum number of motor vehicles that will be permitted to park at the short-term rental; this number shall not exceed the number that can be garaged on-premises, plus two that may park in a driveway, plus two that may park on-street;

(7) An affidavit attesting that the short-term rental operation is in compliance with all applicable local, state, and federal laws and regulations concerning the provision of sleeping accommodations to transient guests.

(C) The applicant must notify the Planning Director, or his/her designee, of any change in information contained in the permit application within ten days of the change.

(D) Any change in ownership of the dwelling shall void the current registration and shall require submission and approval of a new registration application.

(E) A short-term rental shall be assigned an individual registration account number that must be prominently posted with the unit on a hosting platform or in any other advertisement regarding the unit. Said valid registration shall be displayed but removed upon expiration.

(F) Prior to each rental, the registered owner of the short-term rental must also submit to the Planning Director, upon approved forms, the following information:

- (1) The maximum number of people that will be present in the room or dwelling during the rental;
 - (2) The maximum number of motor vehicles that will be present during the rental (up to two of which may be parked on a driveway and up to two may be parked on-street);
 - (3) The date and approximate time frame for occupancy of the transient guests;
 - (4) A contact name and number for the rental host that may be used 24/7 for any issues related to the short-term rental unit or transient guests.
- (Ord. 73/19, passed 10-12-20)

§ 122.05 SHORT-TERM RENTAL OPERATOR; REQUIREMENTS.

(A) *Short-term rental host requirements.*

- (1) One short-term rental registration per short-term rental operation may be issued.
- (2) If a short-term rental host is not the property owner, but a permanent occupant of the dwelling, the host shall obtain permission from the property owner of the dwelling to register the dwelling on any hosting platform or to advertise the dwelling in any other manner for use as a short-term rental.
- (3) Rentals for 30 or more consecutive days by the same guest(s) will not be subject to short-term rental regulations.

(B) *Records required.* Short-term rental hosts that offer short-term rentals shall retain and, upon request, make available to the Planning Director, or his/her designee, official records to demonstrate compliance with this section, including, but not limited to, primary residency, the dates and duration of each stay in the short-term rental, the rate charged for each short-term rental on each night, the maximum occupancy permitted at the short-term rental, and the maximum number of motor vehicles permitted at the short-term rental.

(Ord. 73/19, passed 10-12-20)

§ 122.06 GROUNDS FOR DENIAL.

(A) The Planning Director, or his/her designee, shall approve a registration, or grant the renewal of an existing registration, except as provided in divisions (B) and (C) of this section.

(B) The Planning Director, or his/her designee, shall deny any application for a new registration, or renewal of registration, if any of the following are shown to have occurred at the short-term rental property:

- (1) The applicant makes a material misrepresentation of fact on the application;
- (2) The applicant or owner of the short-term rental has been convicted of violating

§ 122.02(A);

(3) The short-term rental host is not in good standing with the City of Dublin Income Tax Division;

(4) The short-term rental has a documented history of repeated conduct that endangers neighborhood safety or of conditions interfering with the use and enjoyment of property within its vicinity; or of conduct in violation of § 122.10.

(C) Evidence of conduct under divisions (A) and (B) of this section need only be that of de facto violation of law; evidence of conviction is not a prerequisite for denial unless specifically indicated. (Ord. 73-19, passed 10-12-20)

§ 122.07 REVOCATION OF REGISTRATION.

(A) The Planning Director, or his/her designee, may revoke and/or suspend a short-term rental registration if a unit is listed on a hosting platform or advertised elsewhere without the registration number as required under § 122.03(E); or is perpetuating conditions interfering with use and enjoyment of properties within its vicinity; or is delinquent in filing or payment with the City of Dublin Income Tax Division; or has exceeded the limitation set forth in § 122.02(A); or is engaging in conduct in violation of § 122.10. Conditions interfering with use and enjoyment of properties within the vicinity of a short-term rental include, but are not limited to:

(1) Noise audible beyond the boundary of the property on which the short-term rental is located;

(2) Occupancy by a number of short-term rental users exceeding the maximum number included in the registration for the short-term rental;

(3) Parking of a number of motor vehicles exceeding the maximum number included in the registration for the short-term rental; or

(4) Uninvited entry of short-term rental occupants upon private property within 500 feet of the short-term rental.

(B) A violation of any of the conditions in § 122.07(A) shall result in progressive discipline:

(1) Upon the first violation, the registration for the short-term rental shall be terminated and the short-term rental host prohibited from re-registering for six months from the date of termination.

(2) Upon the second violation, the registration for the short-term rental shall be terminated and the short-term rental host prohibited from re-registering for one year from the date of termination.

(3) Upon the third violation, the registration for the short-term rental shall be terminated and the short-term rental host prohibited from re-registering at any time in the future.

(Ord. 73-19, passed 10-12-20)

§ 122.08 APPEAL OF DENIAL OR REVOCATION OF REGISTRATION.

In the event an applicant has been denied a registration, or if a registration has been revoked or suspended, the party affected shall have the right to appeal to the City Manager from such denial, revocation, or suspension within ten business days. Notice of appeal shall be filed with the City Manager's office on a form created by the City Manager for such purpose, and the City Manager shall set the date and time of the appeal hearing. The burden of proof in such an appeal shall be upon the appellant to show that the denial or revocation was arbitrary or unreasonable.
(Ord. 73/19, passed 10-12-20)

§ 122.09 AUTHORITY TO CONDUCT INSPECTIONS.

The Planning Director, or his/her designee, may inspect the short-term rental unit to ensure compliance with this chapter with the consent of the owner or occupant or, if consent is denied, may pursue other legal authority for inspection.
(Ord. 73/19, passed 10-12-20)

§ 122.10 TRANSFER OF SHORT-TERM RENTAL REGISTRATION PROHIBITED.

No registration under this chapter shall be transferable to another short-term rental operation.
(Ord. 73/19, passed 10-12-20)

§ 122.11 DISCRIMINATION PROHIBITED.

(A) A short-term rental host shall not:

(1) Decline a short-term rental guest based on race, sex, sexual orientation, gender identity or expression, color, religion, ancestry, national origin, age, disability, familial status, or military status;

(2) Impose any different terms or conditions based on race, sex, sexual orientation, gender identity or expression, color, religion, ancestry, national origin, age, disability, familial status, or military status;

(3) Post any listing or make any statement that discourages or indicates a preference for or against any short-term rental guest on account of race, sex, sexual orientation, gender identity or expression, color, religion, ancestry, national origin, age, disability, familial status, or military status.
(Ord. 73/19, passed 10-12-20) Penalty, see § 122.99

§ 122.12 SEVERABILITY.

In the event any section or provision of this chapter shall be declared by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity of this chapter as a whole or any part thereof other than the part so declared to be invalid or unconstitutional.
(Ord. 73/19, passed 10-12-20)

§ 122.99 PENALTY.

Whoever violates any provision of this chapter shall be guilty of an unclassified misdemeanor and

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shall be fined not more than \$250. Upon subsequent convictions, the penalty shall be an unclassified misdemeanor but the guilty party shall be fined not more than \$1,000, in addition to any other penalties as imposed by this chapter.
(Ord. 73/19, passed 10-12-20)

(2) Gamma Butyrolactone;

(3) 1,4 Butanediol.

HASHISH. ~~The resin or a preparation of the resin contained in marihuana, whether in solid form or in a liquid concentrate, liquid extract, or liquid distillate form.~~

(1) A resin or a preparation of a resin to which both of the following apply:

(a) It is contained in or derived from any part of the plant of the genus cannabis, whether in solid form or in a liquid concentrate, liquid extract, or liquid distillate form.

(b) It has a delta-9 tetrahydrocannabinol concentration of more than 0.3%.

(2) The term does not include a hemp byproduct in the possession of a licensed hemp processor under R.C. Chapter 928, provided that the hemp byproduct is being produced, stored, and disposed of in accordance with rules adopted under R.C. § 928.03.

HYPODERMIC. Has the same meaning as in R.C. § 3719.01.

JUVENILE. A person under 18 years of age.

LICENSED HEALTH PROFESSIONAL AUTHORIZED TO PRESCRIBE DRUGS. Has the same meaning as in R.C. § 4729.01.

L.S.D. Lysergic acid diethylamide.

MAJOR DRUG OFFENDER. Has the same meaning as in R.C. § 2929.01.

MANDATORY PRISON TERM. Has the same meaning as in R.C. § 2929.01.

MANUFACTURE. To plant, cultivate, harvest, process, make, prepare, or otherwise engage in any part of the production of a drug, by propagation, extraction, chemical synthesis, or compounding, or any combination of the same, and includes packaging, repackaging, labeling, and other activities incident to production.

MANUFACTURER. Has the same meaning as in R.C. § 3719.01.

MARIHUANA. Has the same meaning as in R.C. § 3719.01, except that it does not include hashish.

METHAMPHETAMINE. Methamphetamine, any salt, isomer, or salt of an isomer of methamphetamine, or any compound, mixture, preparation, or substance containing methamphetamine or any salt, isomer, or salt of an isomer of methamphetamine.

MINOR DRUG POSSESSION OFFENSE. Either of the following:

(1) A violation of R.C. § 2925.11 as it existed prior to July 1, 1996, or a substantially equivalent municipal ordinance.

(g) **REQUIRED REVIEWING BODY.** The Administrative Review Team, City Council, Planning and Zoning Commission, Architectural Review Board, or Board of Zoning Appeals when required by § 153.066 to render a final decision on any application required for development within the BSC districts.

(h) **ROOF.**

1. **PRINCIPAL ROOF.** The roofed area of a building enclosed by the main rafters, as opposed to the common rafters.

2. **ROOF DECK.** In a typical roof system, the roof deck is the roofing material layer between the primary structural components (trusses & joists) and either insulative layers or weatherproofing layers.

3. **ROOF HEIGHT.** The height of a roof as required to be measured by this chapter.

4. **ROOF LINE.** The uppermost line or point of the façade or parapet of a flat roof structure, or the lower edge of an eave, gable or rake of a sloped roof structure.

(i) **ROOF SIGN.** Any sign erected on or above the roof line of a building.

(19) *General definitions - S*

(a) **SANDWICH BOARD SIGN.** A sign with two hinged boards, which is intended to be placed on the ground.

(b) **SEATS.** The number of seating units installed or indicated on plans, or each 30 lineal inches of stands, benches or pews. Unless otherwise specified in this chapter, it is assumed that a seating unit occupies seven square feet of floor area for fixed seating and 15 square feet of floor area for uses without fixed seating, exclusive of aisles and assembly areas.

(c) **SECONDARY FACADE MATERIAL.** The permitted material or materials used to accent a building's primary facade materials.

(d) **SECONDARY IMAGE.** Any and all text, graphics, or images displayed on a sign in addition to the name of the use or business, including but not limited to registered/copyrighted images or text, pictorial representations, tag lines, products and phone numbers.

(e) **SECTION.** In the text, the term **SECTION** refers to the numeral under which it appears in this subchapter.

(f) **SECURED.** A building which has all points of entry into the structure closed by use of windows and doors which are in proper working order, intact, without holes, broken elements, and are locked.

(g) **SEMI-PERVIOUS SURFACE.** A material that allows for absorption of water into the ground or plant material, such as pervious pavers, permeable asphalt and concrete, or gravel.

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(h) **SERVICE STRUCTURES.** Structures including, but not limited to, loading docks, storage tanks, dumpsters, electrical transformers, utility vaults which extend above the surface, cooling towers, roof top units and other equipment or elements providing service to a building or a site.

(i) **SETBACK.** The minimum distance required by this chapter from the property line and/or right-of-way line to the nearest part of the applicable building, structure, or sign, measured perpendicularly to the property line and/or right-of-way line. May also be referred to as the building line.

(j) **SHADOW LINE.** A decorative, three dimensional, linear architectural element, horizontal or vertical, protruding or indented from the exterior facade of a building enough to create a shadow. It is typically utilized to delineate stories of a building.

(k) **SHALL.** Is mandatory.

(l) **SHOPPING CORRIDOR.** Continuous mixed use street frontage with retail uses occupying the ground floor of buildings located on streets with a highly articulated pedestrian realm.

(m) **SIGN.** A sign is defined as any name, number, symbol, identification, description, display, illustration, object, graphic, sign structure, or part thereof, whether permanent or temporary, which is affixed to, painted on, represented directly or indirectly upon, or projected onto a building, structure, lot, or other device, whether mobile or affixed to the ground, and which directs attention to any object, product, place, activity, person, institution, organization, or business. Signs regulated by this chapter includes all signs visible from any public right-of-way or adjacent property, including interior signs oriented towards the exterior facade of any building or structure as well as back-lighted translucent panels or strip lighting affixed to any wall or roof which serves to identify and attract attention rather than illuminate space for human activity.

(n) **SIGN FACE.** The surface intended for the display of information on the sign.

(o) **SIGN STRUCTURE.** The supporting unit of a sign face, including, but not limited to, frames, braces and poles.

(p) **SITE.** Any defined space or ground, including ground occupied by buildings, parking areas, service areas, undeveloped lands, and ground adjacent to structures.

(q) **SITE PLAN.** Includes the documents and drawings required by this chapter to ensure that a proposed land use or activity is in compliance with city requirements and state and federal statutes.

(r) **SMALL TREE.** Tree species which normally attains a full-grown height of under 30 feet.

(s) **SOFFIT.** The exposed undersurface of any overhead component of a building.

(t) **STACKING SPACE.** A space designed to be occupied by a vehicle while waiting to order or to be served at a drive-through window or drive-up ATMs, or while waiting to enter a parking lot, parking structure, fuel station, dispensing station, or loading area.

(u) **STOREFRONT.** The portion of a building facade serving as the front elevation of an individual tenant space, including an entrance and windows providing physical and visual access into the tenant space, typically limited to the ground story and located along a street-facing facade.

(v) **STORY.** A habitable level within a building measured from finished floor to finished floor.

1. **GROUND STORY.** The first floor of a building that is level to or elevated above the finished grade on the front and corner facades, excluding basements or cellars, accessible from the established grade through the use of a ramp or steps.

2. **HALF STORY.** A story either in the base of the building, partially below and partially above grade (visible basement), or a story fully within the roof structure with transparency facing the street.

3. **UPPER STORY.** The floors located above the ground story of a building, including any half-stories within the roof structure.

(w) **STREAMER.** A ribbon-shaped or cord-like rope which may have pennants and/or banners attached and which is stretched or hung between two or more supports.

(x) **STREET FACADE.** A building face with frontage along and typically parallel to a public street. Street facades are designated as either front or corner facades, and are oriented in relation to the front or corner side property lines.

(y) **STREET FRONTAGE.** The orientation of a lot line, building facade, block face or open space type along, and typically parallel to, a public street. A building facade oriented along a street frontage is also referred to as the street facade.

(z) **STREETSCAPE.** The various components that make up the pedestrian realm, both in the right-of-way and along private lot frontages within required building zones, including tree lawns, pavement, parking spaces, planting areas, street furniture, street trees, streetlights, sidewalks, front yard fences, etc.

(aa) **STREET RIGHT-OF-WAY.** The public or private right-of-way permitting associated streetscape elements and typically consisting of both a vehicular and pedestrian realm.

(bb) **STREET RIGHT-OF-WAY LINE.** A line that separates the street right-of-way from a contiguous property.

(cc) **STREET TERMINATION.** The point at which a street ends, requiring vehicles, bicycles, and pedestrians to turn the corner of a block.

(dd) **STREET TYPE.** Required street configurations with specific combinations of right-of-way, pavement width, pedestrian and bicycle facilities, travel lanes, and parking lanes intended to result in a desired street character.

(ee) **STREET WALL.** An opaque, freestanding wall or an opaque combination of landscaping and fencing, built along the frontage line, or along the same building line as the building facade, typically intended to screen vehicular use areas or service areas and/or to define the pedestrian realm.

(ff) **STRUCTURE.** Anything constructed or erected, the use of which requires permanent location on the ground, or attachment to something having permanent location on the ground, including

advertising signs, billboards, mobile homes (located for occupancy on a permanent foundation) and other construction or erection with special function or form, except fences or walks. Includes the word "building."

(gg) **STRUCTURE, PRINCIPAL.** A structure in which is conducted the principal use of the lot on which it is situated.

(hh) **STUCCO.** A coarse plaster composed of Portland or masonry cement, sand, and hydrated lime mixed with water and applied in a plastic state to form a hard exterior covering.

~~_____ (a) **SANDWICH BOARD SIGN.** A sign with two hinged boards which is intended to be placed on the ground.~~

~~_____ (b) **SEATS.** The number of seating units installed or indicated on plans, or each 30 lineal inches of stands, benches or pews. Unless otherwise specified in this chapter, it is assumed that a seating unit occupies seven square feet of floor area for fixed seating and 15 square feet of floor area for uses without fixed seating, exclusive of aisles and assembly areas.~~

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~~(x) **STREET FRONTAGE.** The orientation of a lot line, building façade, block face or open space type along, and typically parallel to, a public street. A building façade oriented along a street frontage is also referred to as the street façade.~~

~~(y) **STREETSCAPE.** The various components that make up the pedestrian realm, both in the right-of-way and along private lot frontages within required building zones, including tree lawns, pavement, parking spaces, planting areas, street furniture, street trees, streetlights, sidewalks, front yard fences, etc.~~

~~(z) **STREET RIGHT-OF-WAY.** The public or private right-of-way permitting associated streetscape elements and typically consisting of both a vehicular and pedestrian realm.~~

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~~(ee) **STRUCTURE.** Anything constructed or erected, the use of which requires permanent location on the ground, or attachment to something having permanent location on the ground, including advertising signs, billboards, mobile homes (located for occupancy on a permanent foundation) and other construction or erection with special function or form, except fences or walks. Includes the word "building."~~

~~(ff) **STRUCTURE, PRINCIPAL.** A structure in which is conducted the principal use of the lot on which it is situated.~~

~~(gg) **STUCCO.** A coarse plaster composed of Portland or masonry cement, sand, and hydrated lime mixed with water and applied in a plastic state to form a hard exterior covering.~~

(20) *General definitions - T*

(a) **TENANT SPACE.** A designated area within a building dedicated to an individual tenant, whether by condominium ownership or a contractual relationship between an owner and renter or lessee, where the renter or lessee is considered a primary tenant. Typically, a tenant space is not directly accessible to other tenant spaces through an internal doorway, but may be accessible via a common corridor or lobby area.

(b) **TERMINAL VISTA.** The result of a "T", "L", or "Y" shaped street intersection or a change in street alignment or topography where the views down a street terminate at a lot or parcel instead of continuing down the street.

(c) **THROUGH LOT.** A lot, with the exception of a corner lot, that has frontage on two public streets, not including alleys or service lanes.

(d) **TOWER.** A vertical element of a building or structure, generally rectilinear or cylindrical in plan, which extends above the rest of the building or structure. Communication towers and wireless communication structures are not included in this definition.

(21) *General definitions - U*

(a) **USED OR OCCUPIED.** As applied to any land or structure intended, arranged or designed to be used or occupied.

(22) *General definitions - V*

(a) **VACANT STRUCTURE.** Any building or structure, in whole or in part, including an accessory building, which has become vacant or abandoned for a period of at least 30 consecutive days and which also meet at least one of the following conditions:

1. Is open to casual entry or trespass;
2. Is damaged to an extent which prohibits safe human occupancy;
3. Demonstrates a lack of property maintenance and upkeep;
4. Is under notice for being in violation of city ordinances;
5. Has been secured or boarded up for at least 30 days;
6. Has utilities disconnected or not in use;
7. Is under a condemnation notice or legal order to vacate; or
8. Is structurally unsound.

(b) **VEHICULAR REALM.** That portion of the street right-of-way comprised of vehicle travel lanes, on-street bicycle facilities, and on-street parking lanes.

(c) **VEHICULAR USE AREA.** Any open or unenclosed area containing more than 1,800 square feet of area and/or used by six or more vehicles of any type, whether moving or at rest, including, but not limited to, driveways, parking lots, loading and unloading areas, parking and maneuvering areas within manufactured home parks, and sales and service areas.

(d) **VERTICAL GARDEN.** See **LIVING WALL.**

(e) **VINYL SIDING ACCESSORIES.** Exterior secondary design elements that serve to provide more visual interest and complement the primary home design.

(f) **VISIBLE BASEMENT.** A half story partially below grade and partially exposed above grade with required transparency provided on the street facade.

(g) **VISION REPORT.** The Bridge Street Corridor Vision Report adopted by City Council and as amended.

~~(a) **VEHICULAR REALM.** That portion of the street right-of-way comprised of vehicle travel lanes, on-street bicycle facilities, and on-street parking lanes.~~

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~~————— (f) **VISION REPORT.** The Bridge Street Corridor Vision Report adopted by City Council and as amended.~~

(23) *General definitions - W*

(a) **WALL LIGHTING.** Accent, emergency, or safety lights intended to illuminate portions of a building façade.

(b) **WALL SIGN.** Any sign attached to or erected against the inside or outside wall of a building or structure, with the exposed display surface of the sign in a plane parallel to the plane of the building or structure and extending less than 14 inches from the building or structure.

(c) **WATER TABLE.** A projecting brick or stone stringcourse, molding or ledge placed to divert rainwater from a building.

(d) **WINDOW SIGN.** Any signs, posters, symbols and other types of identification or information about the use or premises directly attached to the window of a building or erected on the inside of the building and visible from any public area or adjacent property.

(24) *General definitions - X*

(25) *General definitions -Y*

(a) **YARD.**

1. **FRONT YARD.** An area extending the full width of the lot, the depth of which is the minimum horizontal distance between the front lot line and the nearest point of a principal structure.

2. **REAR YARD.** An area extending the full width of the lot the depth of which is the minimum horizontal distance between the rear lot line and the nearest point of the principal structure.

3. **SIDE YARD.** An area between the side line of the lot and the principal structure extending from the front lot line to the rear lot line.

(26) *General definitions - Z*

(a) **ZONING DISTRICT.** A portion of the city within which certain uses of land and/or structures are permitted and within which certain regulations and requirements apply under the provisions of this chapter.

1. **RESIDENTIAL DISTRICT.** The Restricted Suburban Residential District, the Limited Suburban Residential District, the Suburban Residential District (R-3), the Suburban Residential District (R-4). The Two-Family Residential District, the Urban Residential District, the BSC Residential district, the BSC Historic Residential district and all Planned Districts with predominantly residential uses.

2. **NON-RESIDENTIAL DISTRICT.** All districts not listed under **RESIDENTIAL DISTRICT**.

(b) **ZONING ORDINANCE, or ZONING CODE, or CODE.** This chapter. ('80 Code, §§ 1127.01, 1127.02) (Ord. 21-70, passed 7-13-70; Am. Ord. 13-84, passed 5-22-84; Am. Ord. 95-86, passed 12-8-86; Am. Ord. 33-93, passed 6-21-93; Am. Ord. 88-98, passed 11-2-98; Am. Ord. 72-99, passed 7-19-99; Am. Ord. 142-99, passed 2-22-00; Am. Ord. 68-99, passed 9-5-00; Am. Ord. 76-03, passed 8-18-03; Am. Ord. 28-05, passed 6-20-05; Am. Ord. 17-07, passed 4-9-07; Am. Ord. 28-08, passed 5-19-08; Am. Ord. 42-09, passed 5-10-10; Am. Ord. 25-10, passed 8-9-10; Am. Ord. 26-10, passed 8-9-10; Am. Ord. 30-10, passed 9-13-10; Am. Ord. 07-12, passed 3-26-12; Am. Ord. 66-12, passed 11-5-12; Am. Ord. 101-13, passed 1-27-14; Am. Ord. 22-14, 8-25-14; Am. Ord. 91-15, passed 12-7-15; Am. Ord. 09-19, passed 4-8-19; Am. Ord. 44-20, passed 11-9-20)

§ 153.003 **SCOPE.**

The provisions of this chapter shall apply to all land now within or hereafter annexed to the municipality.

('80 Code, § 1121.02) (Ord. 21-70, passed 7-13-70)

§ 153.075 USE OF INDIVIDUAL SEWAGE TREATMENT AND INDIVIDUAL WATER SUPPLY.

(A) *Residential development.* A tract of land that was of record on the date of adoption of the zoning ordinance shall not be developed with individual sewage treatment or individual water supply without the approval of the Franklin County District Board of Health. Approval shall be with a finding of adequate control of water pollution and sewage disposal in accordance with the Board of Health rules and regulations.

(B) *Required lot size.* The size of lot or area provided for each dwelling unit shall be of a size or larger than as approved by the Board of Health, but shall be not less than the minimum lot size for the zoning district in which it is located.

('80 Code, § 1183.06) (Ord. 21-70, passed 7-13-70) Penalty, see § 153.999

§ 153.076 PUBLIC NUISANCE REGULATIONS.

Prevention of nuisance. Every structure or use subject to the provisions of this chapter shall be located, arranged and operated in accordance with the following provisions so that it will not interfere with the development and enjoyment of adjacent property.

(A) *Required limits.* The following limits of development and operation are provided to control hazardous, obnoxious or other nuisance activity of uses subject to the provisions of this chapter.

(1) *Noise.* Noise or vibration shall be so controlled that at the property line on which such noise or vibration is produced it will not be at a level above that normally perceptible from other development in the area or from the usual street traffic observed at the street right-of-way line of the lot, except occasional blast or shock required in normal operation and produced in such manner as not to create a hazard.

(2) *Smoke.* Smoke shall be controlled in its emission so as to be less dark in shade than that designated as No. 2 on the Ringlemann Chart published and used by the U.S. Bureau of Mines, except that emission above such level shall be permitted for a period of three minutes or less during the operation of starting or cleaning a fire.

(3) *Dust.* Dust or particulate matter shall be so controlled as not to produce a hazardous or obnoxious situation beyond the property lines of the lot on which such dust or particulate matter is produced.

(4) *Odor or fumes.* Odor or noxious fumes shall be so controlled as not to be offensive nor to create a hazard.

(5) *Glare.* Glare or heat from processing or other activity or lighting shall be so screened as not to be perceptible beyond the property lines of the lot on which such glare or heat is produced.

(B) *Residential property management.* The purpose of this section shall be the enhancement of the public health, safety and welfare by eliminating conditions favorable to pestilence, disease and general unsafe conditions, while at the same time improving the quality and appearance and most likely, the value of residential property for all residents of the municipality.

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(1) *Condition of premises; waste accumulation.* No person, firm, or other property owners or residents shall:

(a) Cause or permit waste, garbage, trash or any debris such as lumber and building materials, unused tires or other material to accumulate or remain on their property except as follows:

1. Trash and garbage properly located for normal and regular pickup, provided that such items shall only be permitted to remain exposed to open view for a period of 24 hours immediately preceding and 24 hours immediately after the time scheduled for garbage or trash pickup by a waste collector.

2. All trash and debris associated with or resulting from the construction of either residential or commercial structures permitted hereby shall be contained on the construction site in a stable and secure enclosure no smaller than ten cubic yards. The permit holder shall maintain the enclosure and site so as to control litter and debris at all times, and remove and dispose of the debris in an approved landfill. The enclosure shall be removed from the site within ten days of issuance of the occupancy permit or within ten days of cessation of active construction work.

(b) Permit commercial vehicles or non-private passenger vehicles exceeding four to be parked or remaining in open view upon the premises of a residential neighborhood except in connection with repair or construction work being undertaken at the premises and only during such periods of repair or construction.

(c) Fail to keep the exterior of all residential and commercial premises in good condition, and well-maintained, including painting, if necessary, and such persons shall, within a reasonable time, after notice, remove or remedy all unsightly, dirty and unsafe conditions.

(d) Keep all vacant lots mowed as often as necessary in keeping with the character of the neighborhood to prevent pestilence, insect infestation, and to discourage use of the property for dumping or landfill purposes.

1. All such vacant property shall be kept free of hazardous and unhealthful accumulations of water and other conditions affecting the health and welfare of residents of the municipality.

2. In those instances where such vacant property is being used contrary to municipal zoning laws and other ordinances, the property owner, upon notice, shall take appropriate remedies to prevent such unlawful uses in cooperation with municipal officials.

3. All vacant lots shall be kept seeded or maintained in such manner as to prevent erosion of the property and excess drainage onto adjoining lands and kept free of trash and debris.

(2) *Corrective action by municipal officials.*

(a) All violations of this section which remain uncorrected after not less than ten days' notice to the owner or resident, may be corrected by the municipality, or by any person, firm or organization selected by the municipality, and the costs thereof shall be paid by the owner of such property within 30 days. The notice required herein may be waived if immediate action is required to protect the health, safety, morals, or welfare.

(b) The property owner may pay any such charges in accordance with this chapter to the city within 30 days after the statement of costs is issued without penalty. If the fee is not paid within 30

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days after the statement of charges has been mailed to the owner, the Director of Finance shall certify the charges for services to the County Auditor, together with a proper description of the premises. Such amounts shall be entered upon the tax duplicate and shall be a lien upon such lands from the date of entry, and shall be collected as other taxes and returned to the City General Fund as provided by R.C. § 731.54. The recovery of costs by the city pursuant to this section is a remedy in addition to any other penalties that may be levied.

(c) Violations occurring on construction sites may result in the issuance of a stopwork order until the site is brought into compliance.

(d) The city may also take any other judicial actions provided by law to address violations of this section.

(C) *Vacant structures.*

(1) *Intent.* The presence of vacant structures creates an element that lowers property values, leads to deteriorating housing conditions, undermines the quality of neighborhood life, affects the public health, safety and general welfare, and can also result in human injury and criminal activities. Vacant structures occupy an inordinate amount of city administrative and ordinance enforcement resources and the prolonged presence of vacant structures is unacceptable.

(2) *Securing and maintenance of structures and premises.* Any structure on a premises that is designated as vacant is required to be maintained and secured so as not to be accessible to any unauthorized person. A structure or premises shall be secured through the following means, including but not limited to:

(a) Any structure found to be unsecure must be secured within 48 hours of notification.

(b) Damaged or non-secure door, window or other openings may be permitted to be boarded up only to eliminate an immediate hazard, but not to exceed 30 days.

(c) Damaged or broken doors, windows or other openings shall be repaired properly within 30 days of notification.

1. Methods of securing and/or repairing properties shall include materials typically used in other homes such as glass materials for windows, exterior grade doors in entrance and exit areas, and other materials that ensure the structure is compatible with the surrounding area and appears habitable.

2. Wood or plywood materials shall not be permitted beyond 30 days following notification.

(d) Closure and locking of all windows, doors and other openings that may allow access to the interior of a structure.

(3) Vacant buildings will be subject to the following maintenance requirements:

(a) Structure openings: Doors, windows, areaways and other openings shall be weather tight and secured against entry by birds, vermin and trespassers. Missing or broken doors, windows and other such openings shall be weather protected and tightly fitted to the opening, and timely repaired or replaced as provided in division (C)(2) of this section.

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(b) Roofs: Roofs and flashings shall be sound and tight, not admit moisture or have defects, which might admit moisture, rain or roof drainage, and allow for drainage to prevent dampness or deterioration in the interior walls or interior of the structure.

(c) Drainage: The structure's storm drainage system shall be functional and installed in a manner consistent with city regulations and allow discharge in a manner consistent with city regulations.

(d) Structure: The structure shall be in good repair, not in violation of city regulations, structurally sound and free from debris, rubbish and garbage. The structure shall be sanitary. The structure shall not pose a threat to the public health and safety.

(e) Structural members: The structural members shall be free of deterioration and capable of safely bearing imposed dead and live loads.

(f) Foundation walls: The foundation walls shall be structurally sound and in a sanitary condition so as not to pose a threat to public health and safety. The walls shall be capable of supporting the load of normal use and shall be free from open cracks and breaks, free from leaks and be rodent proof.

(g) Exterior walls: The exterior walls shall be free of holes, breaks and loose or rotting materials. Exposed metal, wood, or other surfaces shall be protected from the elements and against decay or rust by periodic application of weather coating materials, such as paint or similar surface treatment.

(h) Decorative features: The cornices, belt courses, corbels, trim, wall facings and similar decorative features shall be safe, anchored and in good repair. Exposed metal, wood or other surfaces shall be protected from the elements and against decay or rust by periodic application of weather coating materials, such as paint or similar surfacetreatment.

(i) Overhanging extensions: All balconies, canopies, marquees, signs, metal awnings, stairways, fire escapes, standpipes, exhaust ducts and similar features shall be in good repair, anchored, safe and sound. Exposed metal and wood surfaces shall be protected from the elements and against decay or rust by periodic application of weather coating materials, such as paint or similar surface treatment.

(j) Chimneys and towers: Chimneys, towers, and similar features shall be structurally safe and in good repair. Exposed metal and wood surfaces shall be protected from the elements and against decay or rust by periodic application of weather coating materials, such as paint or similar surface treatment.

(k) Walkways: Walkways shall be safe for pedestrian travel.

(l) Accessory structures: Accessory structures such as garages, sheds and fences shall be free from safety, health and fire hazards and shall comply with all regulations for vacant structures.

(m) Premises: The premises upon which the structure is located shall be clean, safe and sanitary. It shall be free from waste, rubbish, debris or excessive vegetation in compliance with city regulations and shall not pose a threat to public health and safety.

The enumeration of the foregoing requirements for vacant buildings shall not be construed as exempting or waiving other generally applicable requirements of local property maintenance, health, or building codes.

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(4) *Right of entry and inspections.* If the owner has failed to maintain a property, the city may enter or reenter the exterior areas of the premises to conduct necessary inspections to ensure compliance with the requirements of this chapter and to determine if there are any emergency or hazardous conditions, and to abate such conditions at the owner's expense.

(5) *Reuse and occupancy.* No vacant structures shall be reoccupied until inspected and found to be in full compliance with all applicable city codes and a certificate of occupancy is issued by the city.

(6) *Responsibility for violations.* All nuisance, housing, building and related code violations will be cited and noticed to the owner of record and shall become the owner's responsibility to bring in compliance. If the owner sells or otherwise disposes of the property to another party, the new owner shall not be entitled to any extension of time to correct or address such violations as existed at the time of sale, transfer or conveyance of the property.

(7) *Exemptions.*

(a) A building under active construction/renovation and having a valid building permit(s) at the time of initial inspection shall be exempt from enforcement procedures until the expiration of the longest running, currently active building permit.

(b) A building that has suffered fire damage or damage caused by extreme weather conditions shall be exempt from enforcement procedures for a period of 90 days after the date of the fire or extreme weather event if the property owner submits a request for exemption in writing to the Code Enforcement Officer. This request shall include the names and addresses of the owner or owners, and a statement of intent to repair and reoccupy the building in an expedient manner, or the intent to demolish the building.

(c) Any owner of a vacant building may request an exemption from the provisions of this chapter by filing a written application with the city who shall timely consider same. In determining whether a request for exemption should be granted, the city shall consider the following: the applicant's prior record as it pertains to Property Maintenance Code violations; the amount of vacant property the applicant currently has within the city; and the length of time that the building for which the exemption is sought has been vacant. The city shall approve, approve with conditions, or reject the completed application for exemption within 30 days of receiving it.

(D) *Weeds.*

(1) *Definitions.* Any word or phrase used in these guidelines, which is not defined here shall have the meaning used in the section appropriate to the context in which such word or phrase is used.

(a) **GRASS.** Any of a large family (Gramineae) of monocotyledonous, mostly herbaceous plants with jointed stems, slender sheathing leaves, and flowers borne in spikelet's of bracts.

(b) **NOXIOUS.** Physically harmful or destructive to living beings.

(c) **NOXIOUS WEEDS.** Any type or species that have been included on the official list of noxious plants for the state.

(d) **WEED.** Plant that is not valued where it is growing and tends to overgrow more desirable plants.

(2) *Removal of noxious weeds and grass; duty of Code Enforcement Officer.*

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(a) No person, whether as owner, lessee, agent, tenant or any other person having charge or care of land in the city, shall permit noxious weeds or grass to grow thereon to a height in excess of six inches or fail to cut and destroy such noxious weeds and grass when notified by the Code Enforcement Officer.

(b) The Code Enforcement Officer shall determine when lots and lands in the city contain noxious weeds and grass which constitute a nuisance or endanger the public health, and shall see that such weeds and grass are removed or the nuisance abated.

(3) *Notice to owner to cut weeds and grass.*

(a) The Code Enforcement Officer shall cause written notice to be served once each growing season, March 1 through October 31 of each calendar year, upon the owners, lessees, tenants or other persons or entities having charge or care of land in the city, notifying him that noxious weeds and grass are growing on such property and that they shall be cut and destroyed within five days after service of such notice and thereafter during the growing season with sufficient frequency to prevent such noxious weeds and grass from exceeding six inches.

(b) Service of the notice may be served by certified mail, as listed in the County Auditor's tax lists at the mailing address as shown on such tax lists; ordinary mail if the certified mail is refused or unclaimed; personal service, by posting at the subject property; or by publishing such a notice once in a newspaper of general circulation in the city.

(4) *Failure of owner to comply.* The Code Enforcement Officer may determine that noxious weeds and grass are growing on land for which a notice has been issued pursuant to division (D)(1) of this section, which constitute a nuisance and/or endanger the public health, safety or welfare, and that the person having charge or care of the land has neglected or refused to comply with the notice. Thereupon, the Code Enforcement Officer may cause such noxious weeds and grass to be cut by use of city forces and equipment or by the hiring of private contractors.

(5) *Costs.* The property owner shall pay all costs associated with the cutting and removal of the noxious weeds and grass. Upon completion of the cutting and removal of the noxious weeds and grass, the Code Enforcement Officer shall determine the cost of cutting and removal, and shall cause a statement thereof to be mailed to the owner of the land.

(6) *Payment of costs; unpaid costs a lien.* The property owner may pay such fees as charged in accordance with this chapter to the city within 30 days after the statement of costs is issued without penalty. If the fee is not paid within 30 days after the statement of charges has been mailed to the owner, the Director of Finance shall certify the charges for services as provided in division (D)(3) of this section to the County Auditor, together with a proper description of the premises. Such amounts shall be entered upon the tax duplicate and shall be a lien upon such lands from the date of entry, and shall be collected as other taxes and returned to the City General Fund as provided by R.C. § 731.54. The recovery of costs by the city pursuant to this section is a remedy in addition to the penalty provided in division (D)(8) of this section.

(7) *Exemptions.* Areas cultivated specifically as a wildflower area, vegetable garden, or undeveloped land exceeding one acre in size designated as a natural area for birds and other wildlife are exempt from the provisions of this chapter. Designated natural areas abutting residential property or city right-of-way must maintain a 100 foot buffer at a maximum six inches in height around the perimeter of the entire site.

(8) *Penalty.* Whoever violates any provision of divisions (D)(1) through (D)(6) or (E) of this

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section is guilty of a minor misdemeanor. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such.

(E) *Storage of residential waste and recycling containers.*

(1) All residential waste and recycling containers shall be placed inside the garage of a residence or to a location at the side or rear of the residence that is shielded from the view of any adjoining property's occupants and any street by natural landscape barriers, which will maintain a 100% year round opacity within two years of planting. Any landscape barrier is subject to the review and approval of the City Manager or the Manager's designee.

(2) For properties located in the Architectural Review District, as defined by § 153.170(A) and illustrated in Appendix F, containers housing residential waste, yard waste, or recycling materials shall be placed inside the garage of a residence or to a location at the side or rear of the residence that is shielded from the view of any adjoining property's occupants and any street by natural landscape barriers, fence or wall so long as it maintains 100% year round opacity and is compatible with the material and color of the adjacent structure. Screening shall be provided on all sides of the storage area to a height of six inches more than the tallest waste or recycling container. A solid gate matching the screening material is permitted on one side of the structure for walls and fences to provide access to the storage area. For landscape barriers, one side is permitted to remain open so long as it does not directly face a public street or adjacent property. Residential waste and recycling container screening located within the Architectural Review District is subject to review and approval through the certificate of zoning plan approval (CZPA) process.

(F) *Parking in residential districts.*

(1) For purposes of this section, the following definitions shall apply.

(a) **COMMERCIAL VEHICLE.** Any vehicle used or designed to be used for business or commercial purposes which infringes on the character of a residential district and includes, but is not necessarily limited to: a bus, cement truck, commercial tree trimming equipment, construction equipment, dump truck, garbage truck, panel truck, semi-tractor, semi-trailer, or any other non-recreational trailer used for commercial purposes, stage bed truck, step van, tank truck, tar truck, or other commercial-type vehicle licensed by the Ohio State Bureau of Motor Vehicles as a commercial vehicle or commercial truck.

(b) **PERSONAL AUTOMOBILE.** Any vehicle that seats less than ten passengers, is registered as a passenger vehicle or a noncommercial truck, and used for the sole purpose of transporting resident(s) and guests(s) to and from daily activities.

(c) **RECREATIONAL VEHICLE.** Any motorized vehicle and/or associated nonmotorized equipment used for camping, traveling, boating, or other leisure activities including, but not limited to campers, boats, travel trailers, motor buses (more than nine passengers), motor homes, snow mobiles, wave runners, and other vehicles designed for traveling on water (motorized and non-motorized). Trailers used for transporting this type of vehicle, or any trailers used for hauling equipment or materials, are also included within this definition.

(2) *Commercial vehicles.* Commercial vehicles are prohibited within residential districts, except as follows: commercial vehicles are permitted within an enclosed garage provided the garage door is no taller than nine feet in height.

(3) *Recreational vehicles.* A recreational vehicle may be stored on a residential property

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provided it is fully enclosed by a structure so that it cannot be entered upon or seen from an adjacent street.

(4) *Personal automobiles.* The following restrictions apply to personal automobiles.

(a) *Location.* No personal automobile shall be parked, stored, or allowed to remain on a lot or parcel of land that does not contain a principal structure. Personal automobiles must be parked on a hard surface and shall be prohibited within required side or rear yards and no-build/disturb zones. All personal automobiles shall be parked in a safe manner and shall not obstruct the public right-of-way.

(b) *Registration.* All personal automobiles shall be operable and have a valid registration and license within the most recent 12-month period. For purposes of this section, operable means capable of being started and driven from the location in question.

(c) *Maintenance/condition.* All inadequately maintained personal automobiles shall be removed from the residential lot. "Inadequately maintained" includes, but is not limited to broken windows or windshield, missing wheels, tires, motor or transmission, and/or malfunctioning engines, systems or parts.

(5) *Exemptions.*

(a) *Habitation/guest occupancy.* A recreational vehicle may be located on a residential lot and outside of an enclosed structure for up to 72 hours in any 30-day period, provided the owner or person in charge of the vehicle is a guest of the resident(s) of that lot. The recreational vehicle will be prohibited within the public right-of-way, any required side or rear yards and no-build/disturb zones. In no case shall the vehicle be used for overnight sleeping or living.

(b) *Construction/delivery.* Division (F)(2) of this section shall not apply to commercial vehicles used for conveying the necessary tools and materials to premises where labor, using such tools and materials, is to be performed during the time of parking such vehicles. Division (F)(2) of this section shall not apply during the time which commercial vehicles are being loaded or unloaded or used to deliver or hoist property or merchandise for completion of delivery, if such actions are conducted diligently and without unnecessary delay.

(G) *Littering.*

(1) *Deposit of litter on occupied private property.* No person shall throw or deposit litter on any occupied private property within the city, whether owned by such person or not, except that the owner or person in control of private property may maintain authorized private receptacles or collection in such a manner that litter will be prevented from being carried or deposited by the elements upon any street, sidewalk, or other public place or upon any private property.

(2) *Maintenance of litter free premises.* The owner or person in control of any private property shall at all times maintain the premises free of litter; but this section shall not prohibit the storage or litter in authorized private receptacles for collection, or within any building when not in violation of any health, fire, building code or other regulation, order, ordinance or statute.

(3) *Vacant lots.* No person shall throw or deposit litter on any open or vacant private property within the city whether owned by such person or not. Vacant lots shall be kept free of litter at all times by the person responsible for the property.

(4) *Business establishments: receptacles.* Every person owning, or managing, or having charge,

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control or occupancy of any real property in the city, who maintains a receptacle designated for their use shall dispose of refuse in such a way that said receptacle shall not overflow and the refuse so deposited shall not circulate freely in the environment.

(5) *Receptacles: sanitary conditions.* Every person owning, or managing, or having charge, control or occupancy of any real property in the city who maintain litter receptacles shall maintain such containers and receptacles in good condition. No receptacle may have ragged or sharp edges or any other defect liable to hamper or injure the person depositing or collecting the contents thereof.

(6) *Unightly premises.* Every person owning, or managing, or having charge, control or occupancy of any real property in the city shall not allow any part of such property visible from the street of adjoining premises to become so unsightly or untidy as to substantially detract from the appearance of the immediate neighborhood or tend to threaten the safety and welfare of the immediate neighborhood.

(7) *Abatement.* All persons, firms, or corporations owning, leasing or occupying buildings, grounds, or lots are hereby required to remove rubbish, trash, weeds, or other accumulation of filth or debris which constitutes a hazard to the public health, safety and welfare, from buildings, grounds, lots, contiguous sidewalks, streets, and alleys.

(8) *Enforcement.* In case of failure or refusal to comply with any such notice of abatement, the work required thereby may be done at the expense of the city and the amount of money expended therefor shall be a valid claim against the owner, occupant or person in charge and a lien upon such land which may be enforced by suit in any court of competent jurisdiction. Proceedings under this division shall not relieve any party defendant from criminal prosecution or punishment for violation of any other criminal law or ordinance in force within the city.

(H) *Penalty.*

(1) All violations will be subject to administrative enforcement procedures outlined by administrative order of the City Manager.

(2) Any person violating any provisions of this section shall be guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to a violation of this section or any substantially equivalent state law or municipal ordinance, the offender shall be guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to two or more violations of this section or any substantially equivalent state law or municipal ordinance, the offender shall be guilty of a misdemeanor of the third degree.

(3) Each day such violation is committed or permitted to continue after the initial five working days to abate shall constitute a separate offense and shall be punishable as such hereunder.

✓ (4) Any exterior premises or structure kept in violation of the provisions of this section interferes with the health, safety, and welfare of the public, and is hereby declared to be a public nuisance. In addition to prosecution of such violations, the city may initiate and prosecute proceedings to enjoin the perpetuation of such nuisance conditions, and take such other remedial measures as permitted by law to abate the nuisance conditions and charge the costs of such proceedings or abatement measures against the property for collection in the manner of real property taxes.

Prevention of nuisance. Every structure or use subject to the provisions of this chapter shall be located, arranged and operated in accordance with the following provisions so that it will not interfere with the development and enjoyment of adjacent property.

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~~— (A) *Required limits.* The following limits of development and operation are provided to control hazardous, obnoxious or other nuisance activity of uses subject to the provisions of this chapter.~~

~~— (1) *Noise.* Noise or vibration shall be so controlled that at the property line on which such noise or vibration is produced it will not be at a level above that normally perceptible from other development in the area or from the usual street traffic observed at the street right-of-way line of the lot, except occasional blast or shock required in normal operation and produced in such manner as not to create a hazard.~~

~~— (2) *Smoke.* Smoke shall be controlled in its emission so as to be less dark in shade than that designated as No. 2 on the Ringlemann Chart published and used by the U.S. Bureau of Mines, except that emission above such level shall be permitted for a period of three minutes or less during the operation of starting or cleaning a fire.~~

~~— (3) *Dust.* Dust or particulate matter shall be so controlled as not to produce a hazardous or obnoxious situation beyond the property lines of the lot on which such dust or particulate matter is produced.~~

~~— (4) *Odor or fumes.* Odor or noxious fumes shall be so controlled as not to be offensive nor to create a hazard.~~

~~— (5) *Glare.* Glare or heat from processing or other activity or lighting shall be so screened as not to be perceptible beyond the property lines of the lot on which such glare or heat is produced.~~

~~— (B) Residential Property Management. The purpose of this section shall be the enhancement of the public health, safety and welfare by eliminating conditions favorable to pestilence, disease and general unsafe conditions, while at the same time improving the quality and appearance and most likely, the value of residential property for all residents of the municipality.~~

~~— (1) Condition of premises; waste accumulation. No person, firm, or other property owners or residents shall:~~

~~— (a) Cause or permit waste, garbage, trash or any debris such as lumber and building materials, unused tires or other material to accumulate or remain on their property except as follows:~~

~~— 1. Trash and garbage properly located for normal and regular pickup, provided that such items shall only be permitted to remain exposed to open view for a period of 24 hours immediately preceding and 24 hours immediately after the time scheduled for garbage or trash pickup by a waste collector.~~

~~— 2. All trash and debris associated with or resulting from the construction of either residential or commercial structures permitted hereby shall be contained on the construction site in a stable and secure enclosure no smaller than ten cubic yards. The permit holder shall maintain the enclosure and site so as to control litter and debris at all times, and remove and dispose of the debris in an approved landfill. The enclosure shall be removed from the site within ten days of issuance of the occupancy permit or within ten days of cessation of active construction work.~~

~~— (b) Permit commercial vehicles or non-private passenger vehicles exceeding four to be parked or remaining in open view upon the premises of a residential neighborhood except in connection with repair or construction work being undertaken at the premises and only during such periods of repair or construction.~~

~~— (c) Fail to keep the exterior of all residential and commercial premises in good condition, and well-maintained, including painting, if necessary, and such persons shall, within a reasonable time, after notice, remove or remedy all unsightly, dirty and unsafe conditions.~~

~~— (d) Keep all vacant lots mowed as often as necessary in keeping with the character of the neighborhood to prevent pestilence, insect infestation, and to discourage use of the property for dumping or landfill purposes:~~

~~— 1. All such vacant property shall be kept free of hazardous and unhealthful accumulations of water and other conditions affecting the health and welfare of residents of the municipality.~~

~~— 2. In those instances where such vacant property is being used contrary to municipal zoning laws and other ordinances, the property owner, upon notice, shall take appropriate remedies to prevent such unlawful uses in cooperation with municipal officials.~~

~~3. All vacant lots shall be kept seeded or maintained in such manner as to prevent erosion of the property and excess drainage onto adjoining lands and kept free of trash and debris.~~

~~(2) *Corrective action by municipal officials.*~~

~~(a) All violations of this section which remain uncorrected after not less than ten days' notice to the owner or resident, may be corrected by the municipality, or by any person, firm or organization selected by the municipality, and the costs thereof shall be paid by the owner of such property within 30 days. The notice required herein may be waived if immediate action is required to protect the health, safety, morals, or welfare.~~

~~(b) The property owner may pay any such charges in accordance with this chapter to the city within 30 days after the statement of costs is issued without penalty. If the fee is not paid within 30 days after the statement of charges has been mailed to the owner, the Director of Finance shall certify the charges for services to the County Auditor, together with a proper description of the premises. Such amounts shall be entered upon the tax duplicate and shall be a lien upon such lands from the date of entry, and shall be collected as other taxes and returned to the City General Fund as provided by R.C. § 731.54. The recovery of costs by the city pursuant to this section is a remedy in addition to any other penalties that may be levied.~~

~~(c) Violations occurring on construction sites may result in the issuance of a stop-work order until the site is brought into compliance.~~

~~(d) The city may also take any other judicial actions provided by law to address violations of this section.~~

~~(C) *Weeds.*~~

~~(1) *Definitions.* Any word or phrase used in these guidelines which is not defined here shall have the meaning used in the section appropriate to the context in which such word or phrase is used.~~

~~(a) **GRASS.** Any of a large family (Gramineae) of monocotyledonous, mostly herbaceous plants with jointed stems, slender sheathing leaves, and flowers borne in spikelet's of bracts.~~

~~(b) **NOXIOUS.** Physically harmful or destructive to living beings.~~

~~(c) **NOXIOUS WEEDS.** Any type or species that have been included on the official list of noxious plants for the state.~~

~~(d) **WEED.** Plant that is not valued where it is growing and tends to overgrow more desirable plants.~~

~~(2) *Removal of noxious weeds and grass, duty of Code Enforcement Officer.*~~

~~————— (a) No person, whether as owner, lessee, agent, tenant or any other person having charge or care of land in the city, shall permit noxious weeds or grass to grow thereon to a height in excess of six inches or fail to cut and destroy such noxious weeds and grass when notified by the Code Enforcement Officer.~~

~~————— (b) The Code Enforcement Officer shall determine when lots and lands in the city contain noxious weeds and grass which constitute a nuisance or endanger the public health, and shall see that such weeds and grass are removed or the nuisance abated.~~

~~————— (3) *Notice to owner to cut weeds and grass.*~~

~~————— (a) The Code Enforcement Officer shall cause written notice to be served once each growing season, March 1 through October 31 of each calendar year, upon the owners, lessees, tenants or other persons or entities having charge or care of land in the city, notifying him that noxious weeds and grass are growing on such property and that they shall be cut and destroyed within five days after service of such notice and thereafter during the growing season with sufficient frequency to prevent such noxious weeds and grass from exceeding six inches.~~

~~————— (b) Service of the notice may be served by certified mail, as listed in the County Auditor's tax lists at the mailing address as shown on such tax lists; ordinary mail if the certified mail is refused or unclaimed; personal service, by posting at the subject property; or by publishing such a notice once in a newspaper of general circulation in the city.~~

~~————— (4) *Failure of owner to comply.* The Code Enforcement Officer may determine that noxious weeds and grass are growing on land for which a notice has been issued pursuant to division (C)(1) of this section, which constitute a nuisance and/or endanger the public health, safety or welfare, and that the person having charge or care of the land has neglected or refused to comply with the notice. Thereupon, the Code Enforcement Officer may cause such noxious weeds and grass to be cut by use of city forces and equipment or by the hiring of private contractors.~~

~~————— (5) *Costs.* The property owner shall pay all costs associated with the cutting and removal of the noxious weeds and grass. Upon completion of the cutting and removal of the noxious weeds and grass, the Code Enforcement Officer shall determine the cost of cutting and removal, and shall cause a statement thereof to be mailed to the owner of the land.~~

~~————— (6) *Payment of costs, unpaid costs a lien.* The property owner may pay such fees as charged in accordance with this chapter to the city within 30 days after the statement of costs is issued without penalty. If the fee is not paid within 30 days after the statement of charges has been mailed to the owner, the Director of Finance shall certify the charges for services as provided in division (C)(3) of this section to the County Auditor, together with a proper description of the premises. Such amounts shall be entered upon the tax duplicate and shall be a lien upon such lands from the date of entry, and shall be collected as other taxes and returned to the City General Fund as provided by R.C. § 731.54. The recovery of costs by the city pursuant to this section is a remedy in addition to the penalty provided in division (C)(7) of this section.~~

~~(7) Exemptions.~~ Areas cultivated specifically as a wildflower area, vegetable garden, or undeveloped land exceeding one acre in size designated as a natural area for birds and other wildlife are exempt from the provisions of this chapter. Designated natural areas abutting residential property or city right-of-way must maintain a 100 foot buffer at a maximum six inches in height around the perimeter of the entire site.

~~(8) Penalty.~~ Whoever violates any provision of divisions (C)(1) through (C)(6) or (D) of this section is guilty of a minor misdemeanor. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such.

~~(D) Storage of residential waste and recycling containers.~~

~~(1) All residential waste and recycling containers shall be placed inside the garage of a residence or to a location at the side or rear of the residence that is shielded from the view of any adjoining property's occupants and any street by natural landscape barriers, which will maintain a 100% year round opacity within two years of planting. Any landscape barrier is subject to the review and approval of the City Manager or the Manager's designee.~~

~~(2) For properties located in the Architectural Review District, as defined by § 153.170(A) and illustrated in Appendix F, containers housing residential waste, yard waste, or recycling materials shall be placed inside the garage of a residence or to a location at the side or rear of the residence that is shielded from the view of any adjoining property's occupants and any street by natural landscape barriers, fence or wall so long as it maintains 100% year round opacity and is compatible with the material and color of the adjacent structure. Screening shall be provided on all sides of the storage area to a height of six inches more than the tallest waste or recycling container. A solid gate matching the screening material is permitted on one side of the structure for walls and fences to provide access to the storage area. For landscape barriers, one side is permitted to remain open so long as it does not directly face a public street or adjacent property. Residential waste and recycling container screening located within the Architectural Review District is subject to review and approval through the Certificate of Zoning Plan Approval (CZPA) process.~~

~~(E) Parking in residential districts.~~

~~(1) Definitions.~~ For purposes of this section, the following definitions shall apply.

~~(a) **COMMERCIAL VEHICLE.** Any vehicle used or designed to be used for business or commercial purposes which infringes on the character of a residential district and includes, but is not necessarily limited to: a bus, cement truck, commercial tree trimming equipment, construction equipment, dump truck, garbage truck, panel truck, semi-tractor, semi-trailer, or any other non-recreational trailer used for commercial purposes, stage bed truck, step van, tank truck, tar truck, or other commercial-type vehicle licensed by the Ohio State Bureau of Motor Vehicles as a commercial vehicle or commercial truck.~~

~~(b) **PERSONAL AUTOMOBILE.** Any vehicle that seats less than ten passengers, is registered as a passenger vehicle or a non-commercial truck, and used for the sole purpose of transporting resident(s) and guests(s) to and from daily activities.~~

~~(c) **RECREATIONAL VEHICLE.** Any motorized vehicle and/or associated non-motorized equipment used for camping, traveling, boating, or other leisure activities including, but not limited to campers, boats, travel trailers, motor buses (more than nine passengers), motor homes, snow mobiles, wave runners, and other vehicles designed for traveling on water (motorized and non-motorized). Trailers used for transporting this type of vehicle, or any trailers used for hauling equipment or materials, are also included within this definition.~~

~~(2) **Commercial vehicles.** Commercial vehicles are prohibited within residential districts, except as follows: commercial vehicles are permitted within an enclosed garage provided the garage door is no taller than nine feet in height.~~

~~(3) **Recreational vehicles.** A recreational vehicle may be stored on a residential property provided it is fully enclosed by a structure so that it cannot be entered upon or seen from an adjacent street.~~

~~(4) **Personal automobiles.** The following restrictions apply to personal automobiles:~~

~~(a) **Location.** No personal automobile shall be parked, stored, or allowed to remain on a lot or parcel of land that does not contain a principal structure. Personal automobiles must be parked on a hard surface and shall be prohibited within required side or rear yards and no-build/disturb zones. All personal automobiles shall be parked in a safe manner and shall not obstruct the public right-of-way.~~

~~(b) **Registration.** All personal automobiles shall be operable and have a valid registration and license within the most recent 12-month period. For purposes of this section, operable means capable of being started and driven from the location in question.~~

~~(c) **Maintenance/condition.** All inadequately maintained personal automobiles shall be removed from the residential lot. "Inadequately maintained" includes, but is not limited to broken windows or windshield, missing wheels, tires, motor or transmission, and/or malfunctioning engines, systems or parts.~~

~~(5) **Exemptions.**~~

~~(a) **Habitation/guest occupancy.** A recreational vehicle may be located on a residential lot and outside of an enclosed structure for up to 72 hours in any 30-day period, provided the owner or person in charge of the vehicle is a guest of the resident(s) of that lot. The recreational vehicle will be prohibited within the public right-of-way, any required side or rear yards and no-build/disturb zones. In no case shall the vehicle be used for overnight sleeping or living.~~

~~(b) **Construction/delivery.** Division (E)(2) of this section shall not apply to commercial vehicles used for conveying the necessary tools and materials to premises where labor, using such tools~~

and materials, is to be performed during the time of parking such vehicles. Division (E)(2) of this section shall not apply during the time which commercial vehicles are being loaded or unloaded or used to deliver or hoist property or merchandise for completion of delivery, if such actions are conducted diligently and without unnecessary delay.

— (F) *Littering.*

— (1) *Deposit of litter on occupied private property.* No person shall throw or deposit litter on any occupied private property within the city, whether owned by such person or not, except that the owner or person in control of private property may maintain authorized private receptacles or collection in such a manner that litter will be prevented from being carried or deposited by the elements upon any street, sidewalk, or other public place or upon any private property.

— (2) *Maintenance of litter free premises.* The owner or person in control of any private property shall at all times maintain the premises free of litter; but this section shall not prohibit the storage or litter in authorized private receptacles for collection, or within any building when not in violation of any health, fire, building code or other regulation, order, ordinance or statute.

— (3) *Vacant lots.* No person shall throw or deposit litter on any open or vacant private property within the city whether owned by such person or not. Vacant lots shall be kept free of litter at all times by the person responsible for the property.

— (4) *Business establishments: receptacles.* Every person owning, or managing, or having charge, control or occupancy of any real property in the city, who maintains a receptacle designated for their use shall dispose of refuse in such a way that said receptacle shall not overflow and the refuse so deposited shall not circulate freely in the environment.

— (5) *Receptacles: sanitary conditions.* Every person owning, or managing, or having charge, control or occupancy of any real property in the city who maintain litter receptacles shall maintain such containers and receptacles in good condition. No receptacle may have ragged or sharp edges or any other defect liable to hamper or injure the person depositing or collecting the contents thereof.

— (6) *Unsightly premises.* Every person owning, or managing, or having charge, control or occupancy of any real property in the city shall not allow any part of such property visible from the street or adjoining premises to become so unsightly or untidy as to substantially detract from the appearance of the immediate neighborhood or tend to threaten the safety and welfare of the immediate neighborhood.

— (7) *Abatement.* All persons, firms, or corporations owning, leasing or occupying buildings, grounds, or lots are hereby required to remove rubbish, trash, weeds, or other accumulation of filth or debris which constitutes a hazard to the public health, safety and welfare, from buildings, grounds, lots, contiguous sidewalks, streets, and alleys.

— (8) *Enforcement.* In case of failure or refusal to comply with any such notice of abatement, the work required thereby may be done at the expense of the city and the amount of money expended

~~therefor shall be a valid claim against the owner, occupant or person in charge and a lien upon such land which may be enforced by suit in any court of competent jurisdiction. Proceedings under this division shall not relieve any party defendant from criminal prosecution or punishment for violation of any other criminal law or ordinance in force within the city.~~

~~—(G) *Penalty.*~~

~~—(1) Any person violating any provisions of this section shall be guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to a violation of this section or any substantially equivalent state law or municipal ordinance, the offender shall be guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to two or more violations of this section or any substantially equivalent state law or municipal ordinance, the offender shall be guilty of a misdemeanor of the third degree.~~

~~—(2) Each day such violation is committed or permitted to continue after the initial five working days to abate shall constitute a separate offense and shall be punishable as such hereunder.~~

~~('80 Code, § 1183.10) (Ord. 21-70, passed 7-13-70; Am. Ord. 14-17, passed 2-27-17; Am. Ord. 44-20, passed 11-9-20) Penalty, see § 153.999~~

Cross-reference:

For containment and limitation upon construction noise, see § 150.160

§ 153.077 SCREENING OF SERVICE STRUCTURES.

Service structures shall be screened in all zoning districts. For the purposes of this section, service structures shall include but not be limited to loading docks, storage tanks, dumpsters, electrical transformers, utility vaults which extend above the surface, cooling towers, roof top units and other equipment or elements providing service to a building or a site. Structures may be grouped together; however, screening height shall be based upon the tallest of the structures. Roof top mechanical units must be screened to the full height of the unit.

(A) *Screening requirements.* A continuous (having 100 percent opacity) planting, hedge, fence, wall of earth, which would enclose any service structure on all sides is required, unless such structure must be frequently moved, in which case screening on all but one side is required. The height of the screening material shall be one foot more than the height of the enclosed structure, but shall not be required to exceed 12 feet in height. Whenever a service structure is located next to a building wall, perimeter landscaping material or vehicular use area landscaping material, such walls or screening material, may fulfill the screening requirement for that side of the service structure if that wall or screening material is of sufficient height to meet the height requirement set out in this section. Plant material used to screen a service structure shall be an evergreen species which retains its needles throughout the year. Deciduous plant material cannot be used to fulfill this screening requirement. The height of the evergreen plant material at installation must be equal to, or greater than, two-thirds of the height of the service structure(s), and meet the height and opacity requirements within four years. No interior landscaping shall be required within an area screened for service structures.

Dublin - Table of Special Ordinances

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I

<i>Ord. No.</i>	<i>Date</i>	<i>Description</i>
54-19	11-4-19	Authorizing the City Manager to execute and accept necessary conveyance documents and contracts to acquire a 0.041-acre fee simple warranty deed for right-of-way, without limitation of existing access rights from A.V. Tedeschi and J.C. Tedeschi, located at 5491 Cara Court.
55-19	11-4-19	Authorizing the City Manager to execute and accept necessary conveyance documents and contracts to acquire a 0.110-acre fee simple warranty deed for right-of-way, without limitation of existing access rights from Vineyard Christian Fellowship at Tuttle Crossing, located at 5400 Avery Road.
62-19	11-18-19	Authorizing the City Manager to execute necessary conveyance documents and to accept conveyance of a 0.072-acre fee simple warranty deed for right-of-way, without limitation of existing access rights from CBJ on High, LLC, from the property located at 158 S. High Street.
Res. 29-20	5-26-20	Declaring certain city-owned property as surplus and authorizing the City Manager to dispose of said property.
✓ 18-20	8-10-20	Authorizing the City Manager to enter into a real estate transfer agreement for certain city owned property on Crosby Court and certain property owned by Tuttle Emerald LLC on Parkwood Place.
✓ 43-20	11-9-20	Acquiring the property located at 6480 Shier Rings Road, identified

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I

as Franklin County Parcel Number
273-000304-00 from Joseph F.
Monska, trustee.

✓53-20

12-7-20

Authorizing the City Manager to
enter into a real estate purchase
agreement to convey 0.002 acres
of land located between North
High Street and Darby Street.

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II

<i>Ord. No.</i>	<i>Date</i>	<i>Description</i>
Res. 27-20	5-26-20	Accepting the lowest and best bid for the 2020 street maintenance program - Phase 1.
Res. 30-20	6-8-20	Accepting the lowest and best bid for the Cosgray Ditch - Phase 1 project.
Res. 31-20	6-8-20	Authorizing the City Manager to enter into a contract with and execute a guaranteed maximum price amendment with Ruscilli Construction Co., Inc., construction manager at risk, for Phase 3 of the Dublin 5555 Perimeter Drive (future City Hall) renovation project and Council Chamber addition construction project.
Res. 32-20	6-22-20	Accepting the lowest and best bid for the 2020 street maintenance program - Phase 2.
Res. 33-20	6-22-20	Accepting the lowest and best bid for the 2020 sidewalk maintenance program.
Res. 35-20	6-22-20	Authorizing the City Manager to enter into a contract with and execute a guaranteed maximum price amendment with Marker Construction Co., Inc., construction manager at risk, for Phase 1 of the Dublin 5660 Dublinshire Drive Dublin community pool north construction project.
✓ Res. 38-20	7-27-20	Authorizing the City Manager to enter into an agreement with the City of Columbus,
✓ Res. 39-20	7-27-20	Authorizing the City Manager to enter into a contract with Dublin

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II

City Schools.

✓ Res. 44-20	8-24-20	Authorizing the City Manager to enter into a contract with and execute a guaranteed maximum price amendment with Marker Construction Co., Inc.
✓ Res. 47-20	9-14-20	Authorizing the City Manager to enter into contracts with Danbert, Inc.
✓ Res. 48-20	9-28-20	Authorizing the City Manager to enter into a contract with Vasco Sports Contractors.
✓ Res. 50-20	9-28-20	Authorizing the City Manager to enter into an agreement with Dublin Development, LLC.
✓ Res. 62-20	10-12-20	Authorizing the City Manager to enter into contracts with Strawser Paving Co., Inc.
✓ Res. 63-20	10-12-20	Authorizing the City Manager to enter into contracts with Lake Erie Construction Company.
✓ Res. 64-20	11-9-20	Authorizing the City Manager to enter into a contract with the Board of Health of the Franklin County General Health District.
✓ Res. 65-20	11-9-20	Authorizing the City Manager to enter into a contract with and execute a second phase guaranteed maximum price amendment with Turner Construction Company.
✓ Res. 69-20	11-16-20	Authorizing the City Manager to enter into an agreement with Washington Township.
✓ Res. 72-20	12-7-20	Authorizing the City Manager to enter into contract with E. Lee Construction, Inc.
✓ Res. 74-20	12-7-20	Authorizing the City Manager to enter into an agreement with Rev1 Ventures.

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Dedication and Plat Approval

24G

<i>Ord. No.</i>	<i>Date</i>	<i>Description</i>
Res. 23-20	4-13-20	Approving and accepting the plat for The Corners Subdivision.
Res. 24-20	4-13-20	Approving and accepting the plat for University Boulevard Phase 2 right-of-way dedication and subdivision.
Res. 28-20	5-26-20	Approving and accepting the plat for Deer Run Estates.
Res. 36-20	6-22-20	Approving and accepting the plat for the Oak Park, Subarea F Subdivision.
Res. 43-20	7-27-20	Approving and accepting the plat for University Boulevard Phase 2 and lot size variances to resubdivide certain lots to address county requirements for parcels crossing school district boundaries and to create a parcel for the preservation of a historic cemetery.

Dublin - Table of Special Ordinances

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V

<i>Ord. No.</i>	<i>Date</i>	<i>Description</i>
55-19	11-4-19	Acquire a 0.040-acre temporary construction easement and a second 0.010-acre temporary construction easement from Vineyard Christian Fellowship at Tuttle Crossing, located at 5400 Avery Road.
56-19	11-4-19	Acquire a 0.041-acre standard highway easement from Brian Rightler and Erica Rightler, located at 6129 Cara Road.
12-20	4-27-20	Accept a sanitary sewer easement from Carmen Michael Villopoto located at 7685 Dublin Plain City Road.
13-20	5-26-20	Accept a 0.0681-acre sanitary sewer easement from Darshan Shah located at 8700 Hyland Croy Road.
✓17-20	8-10-20	Conveying perpetual gas line easements and temporary construction easements to Columbia Gas of Ohio, Inc.
✓22-20	9-14-20	Conveying a perpetual gas line easement to Columbia Gas of Ohio, Inc. along Riverside Drive.
✓24-20	9-28-20	Acquire a 0.069-acre standard highway easement from Chester A. Gunka, located at 6149 Cara Road.
✓27-20	10-12-20	Acquire a 0.204 acre, more or less, perpetual easement from the Muirfield Association, Inc. from Reserve "RRRR" located on the north side of Glick Road.
✓33-20	11-9-20	Appropriating property and easements from Anthony Gioffre and John Gioffre, from the property located at 6262 Eiterman

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✓

✓34-20	11-9-20	Road. Appropriating property and easements from 33 Dublin Industrial Park, LLC, from the property located at 6280 Rings Road.
✓35-20	11-9-20	Appropriating property and easements from William L. Baker and Nancy A. Baker, from the property located at 6430 Shier Rings Road.
✓36-20	11-9-20	Appropriating property and easements from Sertek, LLC, <i>from the property located at 6344 Shier Rings Road</i>
✓37-20	11-9-20	Appropriating property and easements from SH 725 LLC, from the property located at 6245 Old Avery Road.
✓38-20	11-9-20	Appropriating property and easements from W. Baker Holdings, LLC and William L. Baker, from the property located at 6360-6390 Rings Road.
✓39-20	11-9-20	Appropriating property and easements from Avery Lakes Partners, LLC, from the property located at 6201-6233 Avery Road.
✓40-20	11-9-20	Appropriating property and easements from Dolan Investments II, from the property located at 6385 Avery Road.
✓41-20	11-9-20	Appropriating property and easements from Samuel M. Baker, from the property located at 6252 Avery Road.
✓42-20	11-9-20	Appropriating an easement from Medex, Inc., from the property located at 6250 Shier Rings Road.

Dublin - Table of Special Ordinances

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VII

<i>Ord. No.</i>	<i>Date Passed</i>	<i>Description</i>
48-14 (Cont'd)		city via Ordinance No. 11-14, consisting of 10.0 acres, more or less, fee simple interest located east of Village Parkway and south of Tuller Road.
Res. 25-15	2-23-15	Authorizing the City Manager to execute a lease agreement with Metro Data Center expanding the Dublin Entrepreneurial Center at 565 Metro Place South, Suite 190.
Res. 73-17	10-9-17	Authorizing the City Manager to execute a renewal of a parking lease agreement with Dublin Community Church.
Res. 35-18	7-2-18	Lease agreement with Air Force One, Inc. for approximately 1,800 square feet at 5800 Shier Rings Road.
Res. 48-18	8-13-18	Authorizing the City Manager to execute a second addendum for a one-year extension of a lease with Chiller, LLC, for 7001 Dublin Park Drive (the "Chiller").
Res. 60-18	9-24-18	Executing a Triple Net Commercial Lease Agreement for a primary term of five years with GTN Corporation for the Dublin Village Tavern property located at 27-29 South High Street.
34-19	2-10-20	Executing a lease agreement with the Dublin Chamber of Commerce, Incorporated for the property located at 129 South High Street.
✓ Res. 49-20	9-28-20	Executing a renewal of a parking lease agreement with Dublin Community Church.

Dublin - Parallel References

<i>Ord. No.</i>	<i>Date Passed</i>	<i>Description</i>
19-19	5-6-19	T.S.O. V
20-19	5-6-19	T.S.O. V
21-19	5-6-19	T.S.O. II
22-19	5-6-19	T.S.O. II
25-19	5-20-19	T.S.O. II
27-19	6-10-19	T.S.O. I
28-19	6-24-19	T.S.O. III
30-19	6-24-19	T.S.O. II
31-19	6-24-19	T.S.O. II
32-19	6-24-19	T.S.O. II
33-19	6-24-19	T.S.O. II
34-19	2-10-20	T.S.O. VII
35-19	6-24-19	T.S.O. I
37-19	8-26-19	35.121, 35.122, 35.123, 35.125, 35.126, 35.128, 35.129
41-19	8-26-19	T.S.O. II
42-19	8-26-19	T.S.O. II
43-19	9-9-19	T.S.O. II
44-19	9-23-19	T.S.O. III
45-19	9-23-19	Adopting Ordinance
46-19	9-23-19	T.S.O. II
49-19	10-21-19	T.S.O. I
50-19	10-21-19	T.S.O. V
51-19	10-21-19	T.S.O. V
52-19	10-21-19	T.S.O. V
53-19	11-4-19	T.S.O. X
54-19	11-4-19	T.S.O. I, V
55-19	11-4-19	T.S.O. I, V
56-19	11-4-19	T.S.O. V
57-19	11-4-19	T.S.O. II
60-19	11-4-19	T.S.O. II
61-19	11-4-19	T.S.O. II
62-19	11-18-19	T.S.O. I
63-19	11-18-19	35.80 - 35.84
66-19	11-18-19	T.S.O. II
67-19	12-2-19	T.S.O. II
70-19	12-2-19	T.S.O. X
✓ 73-19	10-12-20	122.01 - 122.12, 122.99
01-20	1-21-20	T.S.O. II
02-20	2-10-20	T.S.O. III
03-20	2-10-20	T.S.O. III
04-20	2-10-20	T.S.O. XI
05-20	2-10-20	T.S.O. XI

References to Ordinances

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<i>Ord. No.</i>	<i>Date Passed</i>	<i>Description</i>
06-20	6-22-20	T.S.O. X
07-20	2-24-20	T.S.O. X
08-20	3-2-20	T.S.O. II
09-20	4-13-20	150.230, 150.231
11-20	4-27-20	Adopting Ordinance
12-20	4-27-20	T.S.O. V
13-20	5-26-20	T.S.O. V
17-20	8-10-20	T.S.O. V
18-20	8-10-20	T.S.O. I
22-20	9-14-20	T.S.O. V
24-20	9-28-20	T.S.O. V
27-20	10-12-20	T.S.O. V
28-20	10-26-20	Adopting Ordinance
31-20	11-9-20	51.64, 52.06
33-20	11-9-20	T.S.O. V
34-20	11-9-20	T.S.O. V
35-20	11-9-20	T.S.O. V
36-20	11-9-20	T.S.O. V
37-20	11-9-20	T.S.O. V
38-20	11-9-20	T.S.O. V
39-20	11-9-20	T.S.O. V
40-20	11-9-20	T.S.O. V
41-20	11-9-20	T.S.O. V
42-20	11-9-20	T.S.O. V
43-20	11-9-20	T.S.O. I
44-20	11-9-20	153.002, 153.076
45-20	11-16-20	35.80 - 35.84
53-20	12-7-20	T.S.O. I

Dublin - Parallel References

<i>Res. No.</i>	<i>Date Passed</i>	<i>Description</i>
30-20	6-8-20	T.S.O. II
31-20	6-8-20	T.S.O. II
32-20	6-22-20	T.S.O. II
33-20	6-22-20	T.S.O. II
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§ 35.81 FINDINGS AND INTENT.

(A) It is the intent of the City Council to ascertain and recover the specified percentages of full costs from fees, charges, and regulatory license fees levied in providing the regulation, products, or services set forth in this chapter.

(B) The fee and service charge revenue/cost comparison system set forth in this chapter provides a mechanism for ensuring that fees adopted by the city for services rendered do not exceed the reasonable estimated cost for providing the services, unless otherwise noted.

(C) It is the intent of the City Council to achieve a more equitable and fair mix for financing services set forth in this chapter in order to reduce or eliminate subsidizing these services with general tax revenue; thereby, allowing those general tax revenues to be used for general services, including infrastructure maintenance and replacement.

(Ord. 51-94, passed 10-17-94; Am. Ord. 52-96, passed 8-5-96; Am. Ord. 97-97, passed 7-21-97; Am. Ord. 118-98, passed 12-7-98; Am. Ord. 125-00, passed 11-6-00; Am. Ord. 127-01, passed 11-5-01; Am. Ord. 129-02, passed 11-4-02; Am. Ord. 126-03, passed 12-15-03; Am. Ord. 79-04, passed 12-13-04; Am. Ord. 73-05, passed 12-12-05; Am. Ord. 64-06, passed 11-20-06; Am. Ord. 90-07, passed 12-10-07; Am. Ord. 82-08, passed 12-8-08; Am. Ord. 49-09, passed 11-2-09; Am. Ord. 39-10, passed 11-1-10; Am. Ord. 54-11, passed 10-10-11; Am. Ord. 65-12, passed 11-5-12; Am. Ord. 94-13, passed 12-9-13; Am. Ord. 111-14, passed 12-8-14; Am. Ord. 49-15, passed 7-13-15; Am. Ord. 76-15, passed 11-2-15; Am. Ord. 42-16, passed 11-7-16; Am. Ord. 71-17, passed 11-6-17; Am. Ord. 65-18, passed 10-8-18; Am. Ord. 63-19, passed 11-18-19; Am. Ord. 45-20, passed 11-16-20)

§ 35.82 DELEGATION OF AUTHORITY AND DIRECTION TO CITY MANAGER.

(A) The City Manager is hereby delegated the authority and directed to provide documents to the City Council to implement its policy to adjust fees and charges to recover the percentage of full costs as established in this chapter.

(B) **FULL COSTS** shall be as defined in § 35.80. In adjusting fees and charges, the City Manager shall act in an administrative and ministerial capacity and shall consider only the standards and criteria established by this chapter and the applicable state laws.

(Ord. 51-94, passed 10-17-94; Am. Ord. 52-96, passed 8-5-96; Am. Ord. 97-97, passed 7-21-97; Am. Ord. 118-98, passed 12-7-98; Am. Ord. 125-00, passed 11-6-00; Am. Ord. 127-01, passed 11-5-01;

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§ 35.83 SCHEDULE OF FEES AND SERVICE CHARGES.

(A) The City Manager, Director of Finance, and each city department head, under the direction of the City Manager, shall review annually the fees and service charges, and provide an adjusted fee or charge schedule to the City Council for its consideration so as to recover the listed percentage of full costs necessary to provide the listed regulation, product or service as modified by the notes following the list of services. These fees, unless otherwise specified, are for City of Dublin services and are in addition to any charges made by any other governmental agencies.

(B) The services as listed in this section shall be as defined in the document entitled "Cost Study for the City of Dublin, Ohio" as produced by the City of Dublin.

(C) All fees and charges set pursuant to this chapter and section shall take effect as specified in this subchapter.

(D) The City Manager may vary the review schedule listed in this section if, in the judgment of the City Manager and a directly affected and requesting department head, a gross inequity would be perpetrated by not revising a fee or charge prior to the next rate review. Any such special rate review shall be reported to the City Council at its next succeeding meeting where the City Council may revise the fee or charge by ordinance.

(E) If fees are not collected at the time that the service is provided, the city has the right to pursue collection of any of the fees listed in this subchapter, including certification to the County Auditor, remittance to a collection service, or any other appropriate pursuit for payment. When additional fees need to be levied and collected for city-provided services in the amount of \$10 or less, or when a refund is due in the amount of \$10 or less, a refund or additional charge need not be made.

(F) Should it become necessary to establish a new service fee or charge during the year, the City Manager may set the fee administratively. Any such fees set by the City Manager shall be reported to the City Council at its next succeeding meeting where the City Council may revise the fee or charge by ordinance. The new service will then be included and analyzed in the next rate review.

(Ord. 51-94, passed 10-17-94; Am. Ord. 122-94, passed 1-23-95; Am. Ord. 113-95, passed 12-18-95; Am. Ord. 52-96, passed 8-5-96; Am. Ord. 97-97, passed 7-21-97; Am. Ord. 118-98, passed 12-7-98; Am. Ord. 104-99, passed 9-20-99; Am. Ord. 137-99, passed 2-7-00; Am. Ord. 125-00, passed 11-6-00;

Am. Ord. 127-01, passed 11-5-01; Am. Ord. 129-02, passed 11-4-02; Am. Ord. 126-03, passed 12-15-03; Am. Ord. 12-04, passed 3-1-04; Am. Ord. 79-04, passed 12-13-04; Am. Ord. 73-05, passed 12-12-05; Am. Ord. 64-06, passed 11-20-06; Am. Ord. 90-07, passed 12-10-07; Am. Ord. 82-08, passed 12-8-08; Am. Ord. 49-09, passed 11-2-09; Am. Ord. 39-10, passed 11-1-10; Am. Ord. 54-11, passed 10-10-11; Am. Ord. 65-12, passed 11-5-12; Am. Ord. 94-13, passed 12-9-13; Am. Ord. 111-14, passed 12-8-14; Am. Ord. 49-15, passed 7-13-15; Am. Ord. 76-15, passed 11-2-15; Am. Ord. 42-16, passed 11-7-16; Am. Ord. 71-17, passed 11-6-17; Am. Ord. 65-18, passed 10-8-18; Am. Ord. 63-19, passed 11-18-19; Am. Ord. 45-20, passed 11-16-20)

Editor's note:

A copy of the most recent ordinance establishing current city fees and service charges is available at city offices during normal business hours.

§ 35.84 FEE APPEALS AND WAIVERS.

Irrespective of the percentage of recovery and the "notes" in § 35.83, the City Council reserves the right to waive any fee in order to encourage development projects that enhance the city's tax base as outlined in the city's Economic Development Strategy. The City Manager may recommend further waivers or fee adjustments, based on hardship, to be accepted or rejected by City Council at its next regularly scheduled meeting.

(Ord. 51-94, passed 10-17-94; Am. Ord. 52-96, passed 8-5-96; Am. Ord. 97-97, passed 7-21-97; Am. Ord. 118-98, passed 12-7-98; Am. Ord. 125-00, passed 11-6-00; Am. Ord. 127-01, passed 11-5-01; Am. Ord. 129-02, passed 11-4-02; Am. Ord. 126-03, passed 12-15-03; Am. Ord. 25-04, passed 4-19-04; Am. Ord. 79-04, passed 12-13-04; Am. Ord. 73-05, passed 12-12-05; Am. Ord. 64-06, passed 11-20-06; Am. Ord. 90-07, passed 12-10-07; Am. Ord. 82-08, passed 12-8-08; Am. Ord. 49-09, passed 11-2-09; Am. Ord. 39-10, passed 11-1-10; Am. Ord. 54-11, passed 10-10-11; Am. Ord. 65-12, passed 11-5-12; Am. Ord. 94-13, passed 12-9-13; Am. Ord. 111-14, passed 12-8-14; Am. Ord. 49-15, passed 7-13-15; Am. Ord. 76-15, passed 11-2-15; Am. Ord. 42-16, passed 11-7-16; Am. Ord. 71-17, passed 11-6-17; Am. Ord. 65-18, passed 10-8-18; Am. Ord. 63-19, passed 11-18-19; Am. Ord. 45-20, passed 11-16-20)

INVESTMENT POLICY

§ 35.95 INTRODUCTION.

The purpose of this investment policy is to establish the definition(s) of eligible investments of the City of Dublin, Ohio (hereinafter referred to as the "city"), including guidelines and parameters regarding the investment management of the city's investment funds [hereinafter referred to as the "portfolio"]. This investment policy, as approved by City Council, shall serve to define authorized

investments and eligible investment transactions of the city. Such eligible investments may be derived from, or based upon R.C. § 135.14, and/or include certain other investments not authorized or defined under R.C. § 135.14. Investments not defined under R.C. § 135.14, but authorized pursuant to this investment policy, are considered as authorized investments of the city. This subchapter shall take effect and be in force in accordance with Section 4.04(b) of the Dublin City Charter. This policy includes [totally or partially] sections of the statute in order to describe certain eligible investments. In some sections, the policy places further limits upon the use eligible investments or investment transactions. (Ord. 85-94, passed 10-3-94; Am. Ord. 89-96, passed 10-7-96; Am. Ord. 10-99, passed 2-16-99)

§ 35.96 SCOPE.

This policy applies to all financial assets of the City of Dublin. Such funds are accounted for in the city's Comprehensive Annual Financial Report (CAFR), and includes all funds of the reporting entity. (Ord. 85-94, passed 10-3-94; Am. Ord. 89-96, passed 10-7-96; Am. Ord. 10-99, passed 2-16-99)

§ 51.64 RATE SCHEDULE FOR USER CHARGES.

(A) The following rate is the charge for sewer service and use and is based on metered consumption of water for the area of the city served by the City of Columbus:

Rate Per 1,000 Cubic Feet*Effective Date*

January 1, 2021	\$12.75
-----------------	---------

(B) These rates are in addition to the sewer rates charged by the City of Columbus.

(C) The following rate is the charge for sewer service and use for the area of the city serviced by Delaware County:

Flat Rate Per Month*Effective Date*

January 1, 2021	\$14.00
-----------------	---------

(D) These rates are in addition to the sewer rates charged by Delaware County.

(E) Fees received from use of the sewer system shall be deposited in the Sewer Fund and used for the operation and maintenance of the system, including capital improvements and any related debt service.

(Ord. 47-97, passed 4-14-97; Am. Ord. 94-07, passed 12-10-07; Am. Ord. 64-09, passed 11-16-09; Am. Ord. 56-11, passed 10-24-11; Am. Ord. 95-13, passed 12-9-13; Am. Ord. 75-15, passed 11-2-15; Am. Ord. 72-17, passed 11-6-17; Am. Ord. 31-20, passed 11-9-20)

§ 51.65 COLLECTION OF USER CHARGES.

The City of Columbus administers the billing and collecting of user charges for the city as provided by contract.

(A) A billing for sewer user charges is rendered on either a monthly or quarterly basis.

(B) Each sewer user charge rendered under or pursuant to this chapter is hereby made a lien upon the corresponding lot, parcel of land, building or premises served by a connection to the sewerage system of the city, and, if the same is not paid within 90 days after it is due and payable, it shall be certified to the appropriate County Auditor by the City of Columbus, who shall place the same on the tax duplicate of the county with the interest and penalties allowed by law and be collected as other taxes are collected.

(Ord. 47-97, passed 4-14-97)

§ 51.66 ANNUAL NOTIFICATION OF CHARGES; CAPACITY CHARGES.

(A) The city will notify each user, at least annually, in conjunction with a regular bill or other acceptable means, what portion of the sewer service charge is attributable to the operation and maintenance costs, and replacement costs for sewer service. All users discharging wastes to the sewerage system shall be billed for usage of the city's sewerage system and for treatment provided by the City of Columbus.

(B) For the purpose of providing revenue to help finance and to more equitably distribute the cost of the construction of necessary additions to the sewerage system, it is necessary to provide for the establishment of a sewer capacity charge with such charge in addition to any and all other fees which may be imposed with respect to the sewerage system.

(1) No person shall make a service connection to the city's sewerage system or any part thereof, unless he has been issued a permit to do so by the city.

(2) The fees to be charged for permits to connect to the sewerage system shall be based upon the domestic supply water tap size as follows:

<i>Diameter of Water Tap</i>	<i>Effective Date 01/01/13</i>
3/4"	\$2,210
1"	3,580
1-1/2"	9,180
2"	15,900
3"	33,150
4"	51,740
6"	117,600
8"	206,980
10"	322,560
12"	464,580
16"	517,660

(3) In the event a tap is subsequently enlarged, the difference between the charges for the two tap sizes shall be paid.

may be so designed as a "closed-loop system" using non-toxic fluids to provide satisfactory performance and when the same guarantee as required in division (E)(2) of this section applies, including, but not limited to, "vertical or horizontal ground coils" and "doublet well system" or may be directly discharged into one of the streams enumerated in Exhibit A of Ordinance 2B-82 from property which is immediately adjacent to such stream.

(G) Each application for a well drilling permit shall be accompanied by an application fee established by ordinance.

(H) In accordance herewith the act of any property owner in discharging wastewater from a geothermal heating source onto a neighbor's property so as to constitute a flooding or which results in standing or stagnant water or unhealthy and hazardous conditions thereon is hereby declared a public nuisance, and, in addition to the other penalties herein, may be abated or enjoined as such public nuisance in accordance with law.

('80 Code, § 929.02) (Ord. 2B-82, passed, 1-17-83; Am. Ord. 12-10, passed 3-8-10)

§ 52.04 SUMMITVIEW ROAD WATER TAP PERMITS LIMITED.

(A) In the interest of the public health, safety and welfare, no further water tap permits will be issued on the Summitview Road waterline after 1300 taps have been committed through approval of further zonings and including areas already developed which are served by this Summitview Road waterline, and that this waterline may not be extended to serve areas other than those which it was designed to serve.

(B) It is to be expressly understood that on any future rezonings or development plans involving this waterline, that will exceed this 1,300 maximum, the applicants shall be advised that there is no water service available until further improvements are made to the water system. However, it is expressly understood that, upon the approval of Council, this tap limit may be increased by the construction of improvements to the present system.

('80 Code, § 929.03) (Ord. 87-78, passed 11-6-78)

§ 52.05 WATER PERMIT FEES.

The municipality hereby establishes a permit system, and each applicant shall pay the sum of \$247.50 for each permit for existing water taps and the sum of \$8.00 per front foot of the property to be served, provided that these charges shall not be imposed for the replacement of a tap or increase in the size of an existing tap and provided further that these charges shall not be imposed if the owner of the property concerned can show that he or his predecessor in title paid, or is paying a special assessment for the construction of any of the water mains which provide such service, or at his own expense constructed any of the water mains which provide such service, and that any unencumbered funds may be used to improve, operate or maintain the system.

('80 Code, § 929.04) (Ord. 43-74, passed 9-16-74)

§ 52.06 WATER SURCHARGES.

(A) The following rates are charges for water service and use and are based on metered consumption of water:

<i>Effective Date</i>	<i>Rate Per 1,000 Cubic Feet</i>
January 1, 2015	\$3.30
January 1, 2016	\$3.05
January 1, 2017	\$3.05
January 1, 2021	\$3.15

(B) These rates are in addition to the water rates charged by the City of Columbus.

(C) Moneys received from the use of the water system shall be deposited in a separate fund (Water Fund) and used for the payment of the costs to operate and maintain the system and to make capital improvements to the system.

('80 Code, § 929.05) (Ord. 13-92, passed 4-20-92; Am. Ord. 94-07, passed 12-10-07; Am. Ord. 64-09, passed 11-16-09; Am. Ord. 56-11, passed 10-24-11; Am. Ord. 75-15, passed 11-2-15; Am. Ord. 31-20, passed 11-9-20)

§ 52.07 CAPACITY CHARGES.

(A) No person shall make a service connection or any part thereof, unless he has been issued a permit to do so by the city.

(B) The following fees shall be charged for permits issued to tap into the water system:

<i>CAPACITY CHARGES</i>	
<i>Diameter of Water Tap (inches)</i>	<i>Effective Date 01/01/13</i>
3/4	\$1,890
1	3,090
1½	7,370
2	13,110
3	28,070

<i>CAPACITY CHARGES</i>	
<i>Diameter of Water Tap (inches)</i>	<i>Effective Date 01/01/13</i>
4	44,790
6	99,650
8	180,920
10	274,690
12	384,550
16	428,720

(C) In the event a tap is subsequently enlarged, the difference between the charges for the two tap sizes shall be paid.

(D) These fees are in addition to any charges made by any other governmental agency.

(E) For all taps used to supply fire protection only, the rate shall be 20% of the rate specified in this section.

(F) Monies received from the fees shall be deposited in a separate fund (Water Fund) and used for the payment of the costs to operate and maintain the system and to make capital improvements to the system.

('80 Code, § 929.06) (Ord. 13-92, passed 4-20-92; Am. Ord. 24-95, passed 5-1-95; Am. Ord. 07-05, passed 2-7-05; Am. Ord. 94-07, passed 12-10-07; Am. Ord. 64-12, passed 11-5-12)

§ 52.99 PENALTY.

Whoever violates any provision of this chapter is guilty of a minor misdemeanor, with a maximum fine of \$100 with each day of violation as a separate offense.

('80 Code, § 521.13(e), § 929.02(i), § 929.99) (Ord. 2B-82, passed 1-17-83; Ord. 117-87, passed 5-23-88; Ord. 45-89, passed 6-19-89)

(7) Operate in this state a motor vehicle knowing that the certificate of title to the vehicle or ownership of the vehicle as otherwise reflected in the automated title processing system has been canceled.

(B) This section does not apply to persons engaged in the business of warehousing or transporting motor vehicles for the purpose of salvage disposition.
(R.C. § 4505.18) ('80 Code, § 335.08)

(C) Whoever violates this section is guilty of a misdemeanor of the second degree.
('80 Code, § 335.99) Penalty, see § 70.99

§ 71.09 DISPLAY OF LICENSE PLATES.

(A) (1) No person who is the owner or operator of a motor vehicle shall fail to display in plain view on the rear of the motor vehicle a license plate that displays the distinctive number and registration mark assigned to the motor vehicle by the Ohio Director of Public Safety, including any county identification sticker and any validation sticker issued under R.C. §§ 4503.19 and 4503.191, except that a commercial tractor shall display the license plate and validation sticker on the front of the commercial tractor.

(2) The license plate shall be securely fastened so as not to swing, and shall not be covered by any material that obstructs its visibility.

(3) No person to whom a temporary license placard or windshield sticker has been issued for the use of a motor vehicle under R.C. § 4503.182, and no operator of that motor vehicle, shall fail to display the temporary license placard in plain view from the rear of the vehicle either in the rear window or on an external rear surface of the motor vehicle, or fail to display the windshield sticker in plain view on the rear window of the motor vehicle. No temporary license placard or windshield sticker shall be covered by any material that obstructs its visibility.
(R.C. § 4503.21(A))

(B) Except as otherwise provided by R.C. §§ 4503.103, 4503.173, 4503.41, 4503.43, and 4503.46, no person who is the owner or chauffeur of a motor vehicle operated or driven upon the public roads or highways shall fail to file annually the application for registration or to pay the tax therefor. (R.C. § 4503.11(A))

(C) (1) Within 30 days of becoming a resident of this state, any person who owns a motor vehicle operated or driven upon the public roads or highways shall register the vehicle in this state. If such a person fails to register a vehicle owned by the person, the person shall not operate any motor vehicle in this state under a license issued by another state.

(2) For purposes of division (D)(1) of this section, **RESIDENT** means any person to whom any of the following applies:

(a) The person maintains their principal residence in this state and does not reside in this state as a result of the person's active service in the United States armed forces.

(b) The person is determined by the Registrar of Motor Vehicles to be a resident in accordance with standards adopted by the Registrar under R.C. § 4507.01.
(R.C. § 4503.111(A), (C))

(D) Upon the transfer of ownership of a motor vehicle, the registration of the motor vehicle expires, and the original owner immediately shall remove the license plates from the motor vehicle, except as otherwise provided in R.C. § 4503.12.
(R.C. § 4503.12(A))

(E) No person shall park or operate upon the public streets or highways a motor vehicle acquired from a former owner who has registered the motor vehicle, while the motor vehicle displays the distinctive number or identification mark assigned to it upon its original registration. (R.C. § 4549.11(A))

(F) No person who is the owner of a motor vehicle and a resident of Ohio shall park or operate the motor vehicle upon the public streets or highways, while it displays a distinctive number or identification mark issued by or under the authority of another state, without complying with the laws of Ohio relating to the registration and identification of motor vehicles. (R.C. § 4549.12(A))

(G) No person shall park or operate any vehicle upon any public street or highway upon which is displayed an expired license plate or an expired validation sticker.

TITLE XI: BUSINESS REGULATIONS

Chapter

- 110. GENERAL LICENSING PROVISIONS**
- 111. ALCOHOLIC BEVERAGES**
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CHAPTER 122: SHORT-TERM RENTAL OPERATIONS

Section

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- 122.02 Cap on rental nights
- 122.03 Registration required
- 122.04 Short-term rental registration, new and renewal
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§ 122.01 DEFINITIONS.

For the purposes of this chapter, the following terms, phrases, and words shall have the meanings given to them herein.

DWELLING. Any building or structure which is occupied or intended for occupancy in whole or in part as a home, residence, or sleeping place for one or more persons.

GUESTROOM. A room offered to the public for a fee that contains, at a minimum, provisions for sleeping.

HOSTING PLATFORM. A person or entity that participates in the transient rental business by providing, and collecting or receiving a fee for, booking service through an online platform that allows an operator to advertise the transient rental unit through a website hosted by the hosting platform. Examples include, but are not limited to, Airbnb, VRBO, and HomeAway.

PERMANENT OCCUPANT. Persons who reside in a dwelling more than 51 % of the time during a calendar year; the dwelling in which the persons reside shall be referred to as their primary residence.

PRIMARY RESIDENCE. A residence that is the usual place of return for housing as documented by at least two of the following: motor vehicle registration, driver's license, tax documents, lease copy or a utility bill. An owner or permanent occupant can only have one primary residence.

SHORT-TERM RENTAL. Any room or dwelling that is rented wholly or partly for a fee for less than 30 consecutive days by persons other than the permanent occupant or owner from which the permanent occupant or owner receive monetary compensation, whether such compensation is paid directly by the short-term rental guest or is collected and remitted to the permanent occupant or owner by a hosting platform. **SHORT-TERM RENTAL** does not include a room in any hotel or motel, as defined elsewhere in the Codified Ordinances. **SHORT-TERM RENTAL** also does not include corporate housing, meaning temporary housing provided through an entity for which an affidavit in a form satisfactory to the Planning Director has been completed attesting that such entity is engaged primarily in the business of providing temporary housing services for corporate clients, regardless of duration.

SHORT-TERM RENTAL GUESTS. Persons renting temporary lodging from a short-term rental host, or through a hosting platform on behalf of the short-term rental host, for less than 30 consecutive days.

SHORT-TERM RENTAL OPERATION or OPERATION OF A SHORT-TERM RENTAL. The occupancy for a fee of any room or dwelling in a short-term rental by a transient guest.

TRANSIENT GUESTS. Persons occupying a room or rooms for sleeping accommodations for less than 30 consecutive days.
(Ord. 73-19, passed 10-12-20)

§ 122.02 CAP ON RENTAL NIGHTS.

(A) Short-term rental operators are prohibited from renting any room or dwelling to transient guests for more than two weeks total in a calendar year. The short-term rental may be rented up to two times per year, in increments up to seven days each.

(B) If a property owner wishes to rent a room or dwelling for more than two weeks in a calendar year, such rental must be to the same tenant and for a lease term of at least 30 consecutive days.
(Ord. 73-19, passed 10-12-20) Penalty, see § 122.99

§ 122.03 REGISTRATION REQUIRED.

(A) No person, including but not limited to an owner, operator, manager, or employee shall engage in, conduct, or carry on, or permit to be engaged in, conducted or carried on, in or upon any premises in the City of Dublin, the operation of a short-term rental in a calendar year without registering in accordance with this chapter.

(B) A registration application may be submitted at any time to the Planning Director, or his/her designee. If the registration application is approved, such registration shall take effect on the day of approval and shall expire on December 31st of the year approved; provided, however, that if an initial registration application is approved on or after September 1, the registration shall be effective until December 31 of the next calendar year.

(C) (1) Registration to operate a short-term rental shall be renewed by the applicant before the end of each calendar year.

(2) The deadline for submitting an application for renewal shall be the first Monday of November of the year in which the registration is set to expire. Failure to renew shall result in expiration on December 31st. If a permit is successfully renewed, it shall be in effect for the next calendar year, beginning on January 1st and expiring on December 31st of the same year.

(D) The short-term rental operator must maintain a copy of the permit on premises.

(E) Bed and breakfast establishments lawfully operating within the city, as defined by § 153.002(B)(2)(a) and § 153.059 of the Codified Ordinances, shall not be subject to the requirements of this chapter provided that such establishments were in operation prior to the effective date of Ordinance 73-19, and have not ceased operation for more than 90 consecutive days.
(Ord. 73-19, passed 10-12-20) Penalty, see § 122.99

§ 122.04 SHORT-TERM RENTAL REGISTRATION, NEW AND RENEWAL.

(A) An application for a short-term rental permit, and/or renewal of a permit, shall be made to the Planning Director, or his/her designee, upon approved forms, for an application fee of \$225. City Council shall have authority to amend the fee amount from time to time to reflect the costs of administering this chapter.

(B) The application for a permit to operate a short-term rental shall contain the following information:

(1) Name of the applicant, including mailing address, telephone number, and email address;

(2) Sufficient information to demonstrate compliance with either the permanent occupancy or ownership requirements outlined in § 122.01;

(3) The names of all hosting platforms that are used by the short-term rental host and proof of rental insurance for the unit rental;

(4) The names of all advertising outlets in which the short-term rental host intends to advertise such rental if the short-term rental host is not using a hosting platform;

(5) The maximum number of occupants that will be accommodated at the short-term rental, not to exceed two per bedroom;

(6) The maximum number of motor vehicles that will be permitted to park at the short-term rental; this number shall not exceed the number that can be garaged on-premises, plus two that may park in a driveway, plus two that may park on-street;

(7) An affidavit attesting that the short-term rental operation is in compliance with all applicable local, state, and federal laws and regulations concerning the provision of sleeping accommodations to transient guests.

(C) The applicant must notify the Planning Director, or his/her designee, of any change in information contained in the permit application within ten days of the change.

(D) Any change in ownership of the dwelling shall void the current registration and shall require submission and approval of a new registration application.

(E) A short-term rental shall be assigned an individual registration account number that must be prominently posted with the unit on a hosting platform or in any other advertisement regarding the unit. Said valid registration shall be displayed but removed upon expiration.

(F) Prior to each rental, the registered owner of the short-term rental must also submit to the Planning Director, upon approved forms, the following information:

(1) The maximum number of people that will be present in the room or dwelling during the rental;

(2) The maximum number of motor vehicles that will be present during the rental (up to two of which may be parked on a driveway and up to two may be parked on-street);

(3) The date and approximate time frame for occupancy of the transient guests;

(4) A contact name and number for the rental host that may be used 24/7 for any issues related to the short-term rental unit or transient guests.

(Ord. 73-19, passed 10-12-20)

§ 122.05 SHORT-TERM RENTAL OPERATOR; REQUIREMENTS.

(A) *Short-term rental host requirements.*

(1) One short-term rental registration per short-term rental operation may be issued.

(2) If a short-term rental host is not the property owner, but a permanent occupant of the dwelling, the host shall obtain permission from the property owner of the dwelling to register the dwelling on any hosting platform or to advertise the dwelling in any other manner for use as a short-term rental.

(3) Rentals for 30 or more consecutive days by the same guest(s) will not be subject to short-term rental regulations.

(B) *Records required.* Short-term rental hosts that offer short-term rentals shall retain and, upon request, make available to the Planning Director, or his/her designee, official records to demonstrate compliance with this section, including, but not limited to, primary residency, the dates and duration of each stay in the short-term rental, the rate charged for each short-term rental on each night, the maximum occupancy permitted at the short-term rental, and the maximum number of motor vehicles permitted at the short-term rental.
(Ord. 73-19, passed 10-12-20)

§ 122.06 GROUNDS FOR DENIAL.

(A) The Planning Director, or his/her designee, shall approve a registration, or grant the renewal of an existing registration, except as provided in divisions (B) and (C) of this section.

(B) The Planning Director, or his/her designee, shall deny any application for a new registration, or renewal of registration, if any of the following are shown to have occurred at the short-term rental property:

(1) The applicant makes a material misrepresentation of fact on the application;

(2) The applicant or owner of the short-term rental has been convicted of violating § 122.02(A);

(3) The short-term rental host is not in good standing with the City of Dublin Income Tax Division;

(4) The short-term rental has a documented history of repeated conduct that endangers neighborhood safety or of conditions interfering with the use and enjoyment of property within its vicinity; or of conduct in violation of § 122.10.

(C) Evidence of conduct under divisions (A) and (B) of this section need only be that of de facto violation of law; evidence of conviction is not a prerequisite for denial unless specifically indicated.
(Ord. 73-19, passed 10-12-20)

§ 122.07 REVOCATION OF REGISTRATION.

(A) The Planning Director, or his/her designee, may revoke and/or suspend a short-term rental registration if a unit is listed on a hosting platform or advertised elsewhere without the registration number as required under § 122.03(E); or is perpetuating conditions interfering with use and enjoyment of properties within its vicinity; or is delinquent in filing or payment with the City of Dublin Income Tax Division; or has exceeded the limitation set forth in § 122.02(A); or is engaging in conduct in violation of § 122.10. Conditions interfering with use and enjoyment of properties within the vicinity of a short-term rental include, but are not limited to:

(1) Noise audible beyond the boundary of the property on which the short-term rental is located;

(2) Occupancy by a number of short-term rental users exceeding the maximum number included in the registration for the short-term rental;

(3) Parking of a number of motor vehicles exceeding the maximum number included in the registration for the short-term rental; or

(4) Uninvited entry of short-term rental occupants upon private property within 500 feet of the short-term rental.

(B) A violation of any of the conditions in § 122.07(A) shall result in progressive discipline:

(1) Upon the first violation, the registration for the short-term rental shall be terminated and the short-term rental host prohibited from re-registering for six months from the date of termination.

(2) Upon the second violation, the registration for the short-term rental shall be terminated and the short-term rental host prohibited from re-registering for one year from the date of termination.

(3) Upon the third violation, the registration for the short-term rental shall be terminated and the short-term rental host prohibited from re-registering at any time in the future.
(Ord. 73-19, passed 10-12-20)

§ 122.08 APPEAL OF DENIAL OR REVOCATION OF REGISTRATION.

In the event an applicant has been denied a registration, or if a registration has been revoked or suspended, the party affected shall have the right to appeal to the City Manager from such denial, revocation, or suspension within ten business days. Notice of appeal shall be filed with the City Manager's office on a form created by the City Manager for such purpose, and the City Manager shall set the date and time of the appeal hearing. The burden of proof in such an appeal shall be upon the appellant to show that the denial or revocation was arbitrary or unreasonable.
(Ord. 73-19, passed 10-12-20)

§ 122.09 AUTHORITY TO CONDUCT INSPECTIONS.

The Planning Director, or his/her designee, may inspect the short-term rental unit to ensure compliance with this chapter with the consent of the owner or occupant or, if consent is denied, may pursue other legal authority for inspection.
(Ord. 73-19, passed 10-12-20)

§ 122.10 TRANSFER OF SHORT-TERM RENTAL REGISTRATION PROHIBITED.

No registration under this chapter shall be transferable to another short-term rental operation.
(Ord. 73-19, passed 10-12-20)

§ 122.11 DISCRIMINATION PROHIBITED.

(A) A short-term rental host shall not:

(1) Decline a short-term rental guest based on race, sex, sexual orientation, gender identity or expression, color, religion, ancestry, national origin, age, disability, familial status, or military status;

(2) Impose any different terms or conditions based on race, sex, sexual orientation, gender identity or expression, color, religion, ancestry, national origin, age, disability, familial status, or military status;

(3) Post any listing or make any statement that discourages or indicates a preference for or against any short-term rental guest on account of race, sex, sexual orientation, gender identity or expression, color, religion, ancestry, national origin, age, disability, familial status, or military status.
(Ord. 73-19, passed 10-12-20) Penalty, see § 122.99

§ 122.12 SEVERABILITY.

In the event any section or provision of this chapter shall be declared by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity of this chapter as a whole or any part thereof other than the part so declared to be invalid or unconstitutional.
(Ord. 73-19, passed 10-12-20)

§ 122.99 PENALTY.

Whoever violates any provision of this chapter shall be guilty of an unclassified misdemeanor and shall be fined not more than \$250. Upon subsequent convictions, the penalty shall be an unclassified

misdemeanor but the guilty party shall be fined not more than \$1,000, in addition to any other penalties as imposed by this chapter.

(Ord. 73-19, passed 10-12-20)

(2) Gamma Butyrolactone;

(3) 1,4 Butanediol.

HASHISH.

(1) A resin or a preparation of a resin to which both of the following apply:

(a) It is contained in or derived from any part of the plant of the genus cannabis, whether in solid form or in a liquid concentrate, liquid extract, or liquid distillate form.

(b) It has a delta-9 tetrahydrocannabinol concentration of more than 0.3 %.

(2) The term does not include a hemp byproduct in the possession of a licensed hemp processor under R.C. Chapter 928, provided that the hemp byproduct is being produced, stored, and disposed of in accordance with rules adopted under R.C. § 928.03.

HYPODERMIC. Has the same meaning as in R.C. § 3719.01.

JUVENILE. A person under 18 years of age.

LICENSED HEALTH PROFESSIONAL AUTHORIZED TO PRESCRIBE DRUGS. Has the same meaning as in R.C. § 4729.01.

L.S.D. Lysergic acid diethylamide.

MAJOR DRUG OFFENDER. Has the same meaning as in R.C. § 2929.01.

MANDATORY PRISON TERM. Has the same meaning as in R.C. § 2929.01.

MANUFACTURE. To plant, cultivate, harvest, process, make, prepare, or otherwise engage in any part of the production of a drug, by propagation, extraction, chemical synthesis, or compounding, or any combination of the same, and includes packaging, repackaging, labeling, and other activities incident to production.

MANUFACTURER. Has the same meaning as in R.C. § 3719.01.

MARIHUANA. Has the same meaning as in R.C. § 3719.01, except that it does not include hashish.

METHAMPHETAMINE. Methamphetamine, any salt, isomer, or salt of an isomer of methamphetamine, or any compound, mixture, preparation, or substance containing methamphetamine or any salt, isomer, or salt of an isomer of methamphetamine.

MINOR DRUG POSSESSION OFFENSE. Either of the following:

(1) A violation of R.C. § 2925.11 as it existed prior to July 1, 1996, or a substantially equivalent municipal ordinance.

(2) A violation of R.C. § 2925.11 as it exists on and after July 1, 1996, or a substantially equivalent municipal ordinance, that is a misdemeanor or a felony of the fifth degree.

OFFICIAL WRITTEN ORDER. Has the same meaning as in R.C. § 3719.01.

PERSON. Has the same meaning as in R.C. § 3719.01.

PHARMACIST. Has the same meaning as in R.C. § 3719.01.

PHARMACY. Has the same meaning as in R.C. § 3719.01.

POSSESS or POSSESSION. Having control over a thing or substance but may not be inferred solely from mere access to the thing or substance through ownership or occupation of the premises upon which the thing or substance is found.

PRESCRIPTION. Has the same meaning as in R.C. § 4729.01.

PRESUMPTION FOR A PRISON TERM or PRESUMPTION THAT A PRISON TERM SHALL BE IMPOSED. A presumption as described in R.C. § 2929.13(D) that a prison term is a necessary sanction for a felony in order to comply with the purposes and principles of sentencing under R.C. § 2929.11.

PROFESSIONAL LICENSE. Any license, permit, certificate, registration, qualification, admission, temporary license, temporary permit, temporary certificate, or temporary registration that is described in R.C. § 2925.01(W)(1) through (W)(37) and that qualifies a person as a professionally licensed person.

PROFESSIONALLY LICENSED PERSON. Any of the following:

(1) A person who has received a certificate or temporary certificate as a certified public accountant or who has registered as a public accountant under R.C. Chapter 4701 and who holds an Ohio permit issued under that chapter;

(2) A person who holds a certificate of qualification to practice architecture issued or renewed and registered under R.C. Chapter 4703;

(3) A person who is registered as a landscape architect under R.C. Chapter 4703 or who holds a permit as a landscape architect issued under that chapter;

(4) A person licensed under R.C. Chapter 4707;

(5) A person who has been issued a certificate of registration as a registered barber under R.C. Chapter 4709;

(6) A person licensed and regulated to engage in the business of a debt pooling company by a legislative authority, under authority of R.C. Chapter 4710;

(7) A person who has been issued a cosmetologist's license, hair designer's license, manicurist's license, esthetician's license, natural hair stylist's license, advanced cosmetologist's license,

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Instruction Sheet
2021 S-49 Supplement**

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(ll) **PROMOTIONAL SIGNS.** A temporary sign that provides information regarding time, place, and the like of a special event, community activity or similar activity.

(mm) **PROTECTED TREE.** Any tree having a diameter of six inches DBH or larger or having an aggregate diameter of 15 inches DBH or larger or a tree which has been designated by the city to be of high value or interest to the city because of its location or historic association, or other professional criteria.

(nn) **PYLON SIGN.** See **GROUND SIGN.**

(17) *General definitions - Q*

(a) **QUOIN.** Corner stones that anchor the edge of the building wall or decorative feature to imitate corner stones, which wrap around the corner of an elevation and join two abutting walls.

(18) *General definitions - R*

(a) **RACEWAY.** An elongated metal enclosure used to mount individual channel lettering and to conceal related transformers and wiring.

(b) **RAIN BARREL.** An above-ground prefabricated storage receptacle with an automatic overflow diversion system that collects and stores storm water runoff from the roof of a structure that would have been otherwise routed into a storm drain.

(c) **RECREATIONAL VEHICLE.** Any motorized vehicle and/or associated non-motorized equipment used for camping, traveling, boating, or other leisure activities including, but not limited to campers, boats, travel trailers, motor buses (more than nine passengers), motor homes, snow mobiles, wave runners, and other vehicles designed for traveling on water (motorized and non-motorized). Trailers used for transporting this type of vehicle are also included within this definition.

(d) **REFACING.** Any alteration to the face of a sign involving the replacement of materials or parts. **REFACING** does not refer to replacing the entire sign structure or the removal of the sign.

(e) **REMOVE or REMOVAL (TREES).** The causing or accomplishing of the actual physical removal of a tree, or the effective removal through damaging, poisoning, or other direct or indirect action resulting in, or likely to result in, the death of a tree.

(f) **REQUIRED BUILDING ZONE (RBZ).** An area in which the front or corner façade of a building is required to be placed. The zone dictates the minimum and maximum distance a structure may be placed from a property line.

(g) **REQUIRED REVIEWING BODY.** The Administrative Review Team, City Council, Planning and Zoning Commission, Architectural Review Board, or Board of Zoning Appeals when required by § 153.066 to render a final decision on any application required for development within the BSC districts.

(h) **ROOF.**

1. **PRINCIPAL ROOF.** The roofed area of a building enclosed by the main rafters, as opposed to the common rafters.

2. **ROOF DECK.** In a typical roof system, the roof deck is the roofing material layer between the primary structural components (trusses & joists) and either insulative layers or weatherproofing layers.

3. **ROOF HEIGHT.** The height of a roof as required to be measured by this chapter.

4. **ROOF LINE.** The uppermost line or point of the façade or parapet of a flat roof structure, or the lower edge of an eave, gable or rake of a sloped roof structure.

(i) **ROOF SIGN.** Any sign erected on or above the roof line of a building.

(19) *General definitions - S*

(a) **SANDWICH BOARD SIGN.** A sign with two hinged boards, which is intended to be placed on the ground.

(b) **SEATS.** The number of seating units installed or indicated on plans, or each 30 lineal inches of stands, benches or pews. Unless otherwise specified in this chapter, it is assumed that a seating unit occupies seven square feet of floor area for fixed seating and 15 square feet of floor area for uses without fixed seating, exclusive of aisles and assembly areas.

(c) **SECONDARY FACADE MATERIAL.** The permitted material or materials used to accent a building's primary facade materials.

(d) **SECONDARY IMAGE.** Any and all text, graphics, or images displayed on a sign in addition to the name of the use or business, including but not limited to registered/copyrighted images or text, pictorial representations, tag lines, products and phone numbers.

(e) **SECTION.** In the text, the term **SECTION** refers to the numeral under which it appears in this subchapter.

(f) **SECURED.** A building which has all points of entry into the structure closed by use of windows and doors which are in proper working order, intact, without holes, broken elements, and are locked.

(g) **SEMI-PERVIOUS SURFACE.** A material that allows for absorption of water into the ground or plant material, such as pervious pavers, permeable asphalt and concrete, or gravel.

(h) **SERVICE STRUCTURES.** Structures including, but not limited to, loading docks, storage tanks, dumpsters, electrical transformers, utility vaults which extend above the surface, cooling towers, roof top units and other equipment or elements providing service to a building or a site.

(i) **SETBACK.** The minimum distance required by this chapter from the property line and/or right-of-way line to the nearest part of the applicable building, structure, or sign, measured perpendicularly to the property line and/or right-of-way line. May also be referred to as the building line.

(j) **SHADOW LINE.** A decorative, three dimensional, linear architectural element, horizontal or vertical, protruding or indented from the exterior facade of a building enough to create a shadow. It is typically utilized to delineate stories of a building.

(k) **SHALL.** Is mandatory.

(l) **SHOPPING CORRIDOR.** Continuous mixed use street frontage with retail uses occupying the ground floor of buildings located on streets with a highly articulated pedestrian realm.

(m) **SIGN.** A sign is defined as any name, number, symbol, identification, description, display, illustration, object, graphic, sign structure, or part thereof, whether permanent or temporary, which is affixed to, painted on, represented directly or indirectly upon, or projected onto a building, structure, lot, or other device, whether mobile or affixed to the ground, and which directs attention to any object, product, place, activity, person, institution, organization, or business. Signs regulated by this chapter includes all signs visible from any public right-of-way or adjacent property, including interior signs oriented towards the exterior facade of any building or structure as well as back-lighted translucent panels or strip lighting affixed to any wall or roof which serves to identify and attract attention rather than illuminate space for human activity.

(n) **SIGN FACE.** The surface intended for the display of information on the sign.

(o) **SIGN STRUCTURE.** The supporting unit of a sign face, including, but not limited to, frames, braces and poles.

(p) **SITE.** Any defined space or ground, including ground occupied by buildings, parking areas, service areas, undeveloped lands, and ground adjacent to structures.

(q) **SITE PLAN.** Includes the documents and drawings required by this chapter to ensure that a proposed land use or activity is in compliance with city requirements and state and federal statutes.

(r) **SMALL TREE.** Tree species which normally attains a full-grown height of under 30 feet.

- (s) **SOFFIT.** The exposed undersurface of any overhead component of a building.
- (t) **STACKING SPACE.** A space designed to be occupied by a vehicle while waiting to order or to be served at a drive-through window or drive-up ATMs, or while waiting to enter a parking lot, parking structure, fuel station, dispensing station, or loading area.
- (u) **STOREFRONT.** The portion of a building facade serving as the front elevation of an individual tenant space, including an entrance and windows providing physical and visual access into the tenant space, typically limited to the ground story and located along a street-facing facade.
- (v) **STORY.** A habitable level within a building measured from finished floor to finished floor.
1. **GROUND STORY.** The first floor of a building that is level to or elevated above the finished grade on the front and corner facades, excluding basements or cellars, accessible from the established grade through the use of a ramp or steps.
 2. **HALF STORY.** A story either in the base of the building, partially below and partially above grade (visible basement), or a story fully within the roof structure with transparency facing the street.
 3. **UPPER STORY.** The floors located above the ground story of a building, including any half-stories within the roof structure.
- (w) **STREAMER.** A ribbon-shaped or cord-like rope which may have pennants and/or banners attached and which is stretched or hung between two or more supports.
- (x) **STREET FACADE.** A building face with frontage along and typically parallel to a public street. Street facades are designated as either front or corner facades, and are oriented in relation to the front or corner side property lines.
- (y) **STREET FRONTAGE.** The orientation of a lot line, building facade, block face or open space type along, and typically parallel to, a public street. A building facade oriented along a street frontage is also referred to as the street facade.
- (z) **STREETSCAPE.** The various components that make up the pedestrian realm, both in the right-of-way and along private lot frontages within required building zones, including tree lawns, pavement, parking spaces, planting areas, street furniture, street trees, streetlights, sidewalks, front yard fences, etc.
- (aa) **STREET RIGHT-OF-WAY.** The public or private right-of-way permitting associated streetscape elements and typically consisting of both a vehicular and pedestrian realm.

(bb) **STREET RIGHT-OF-WAY LINE.** A line that separates the street right-of-way from a contiguous property.

(cc) **STREET TERMINATION.** The point at which a street ends, requiring vehicles, bicycles, and pedestrians to turn the corner of a block.

(dd) **STREET TYPE.** Required street configurations with specific combinations of right-of-way, pavement width, pedestrian and bicycle facilities, travel lanes, and parking lanes intended to result in a desired street character.

(ee) **STREET WALL.** An opaque, freestanding wall or an opaque combination of landscaping and fencing, built along the frontage line, or along the same building line as the building facade, typically intended to screen vehicular use areas or service areas and/or to define the pedestrian realm.

(ff) **STRUCTURE.** Anything constructed or erected, the use of which requires permanent location on the ground, or attachment to something having permanent location on the ground, including advertising signs, billboards, mobile homes (located for occupancy on a permanent foundation) and other construction or erection with special function or form, except fences or walks. Includes the word "building."

(gg) **STRUCTURE, PRINCIPAL.** A structure in which is conducted the principal use of the lot on which it is situated.

(hh) **STUCCO.** A coarse plaster composed of Portland or masonry cement, sand, and hydrated lime mixed with water and applied in a plastic state to form a hard exterior covering.

(20) *General definitions - T*

(a) **TENANT SPACE.** A designated area within a building dedicated to an individual tenant, whether by condominium ownership or a contractual relationship between an owner and renter or lessee, where the renter or lessee is considered a primary tenant. Typically, a tenant space is not directly accessible to other tenant spaces through an internal doorway, but may be accessible via a common corridor or lobby area.

(b) **TERMINAL VISTA.** The result of a "T", "L", or "Y" shaped street intersection or a change in street alignment or topography where the views down a street terminate at a lot or parcel instead of continuing down the street.

(c) **THROUGH LOT.** A lot, with the exception of a corner lot, that has frontage on two public streets, not including alleys or service lanes.

(d) **TOWER.** A vertical element of a building or structure, generally rectilinear or cylindrical in plan, which extends above the rest of the building or structure. Communication towers and wireless communication structures are not included in this definition.

(e) **TRAILBLAZER SIGN.** A government sign typically within the public right-of-way identifying company logos for lodging, gasoline stations, restaurants and other such establishments.

(f) **TRAILER SIGN.** Any sign which is attached to, supported by, or part of a structure which is designed to move on trailer wheels, skids, or other similar devices, or transported, pushed, or pulled by a motor vehicle.

(g) **TRANSPARENCY.** The ability to see through with clarity. An opening in the building wall allowing light and views between interior and exterior for a majority of the time. Measured as glass area for buildings and as open area for parking structures.

(h) **TREE.** Any self-supporting woody plant together with its root system, growing upon the earth usually with one trunk, or multi-stemmed trunk system, supporting a definitely formed crown.

(i) **TREE LAWN.** That part of a street not covered by sidewalk, bikepath, or other paving, lying between the property line and that portion of the street right-of-way that is paved and usually used for vehicular traffic.

(j) **TREE PRESERVATION AREA.** The area of a parcel of land in which all trees shall be protected during all phases of construction.

(k) **TREE PRESERVATION PLAN.** A proposal which includes a tree survey and a written plan with text and/or graphic illustrations indicating the methods which are to be used to preserve existing trees during construction, and methods for ongoing maintenance, including fertilizing and pruning.

(l) **TREE PRESERVATION ZONE.** An area designated on a subdivision plat with restrictions noted regarding the removal of trees.

(m) **TREE REMOVAL PERMIT.** The permit required by this chapter to be issued in order to remove any protected tree within the corporate limits of the city.

(n) **TREE SURVEY.** A graphic display drawn to scale, not to exceed 1" = 50', showing all existing trees on a site with a six-inch DBH or greater, species, conditions, and outline of the critical root zones.

(o) **TREE WELL.** An opening in a sidewalk to accommodate street trees and other understory plantings such as perennials, groundcover, ornamental grass, and low growing shrubs. Tree wells are typically covered by an approved grate or other covering.

(p) **TRIM.** The finished woodwork or similar architectural element used to enhance, border or protect the edges of openings or surfaces, such as windows or doors.

(q) **TURRET.** A small tower, characteristically corbelled from a corner.

(21) *General definitions - U*

(a) **USED OR OCCUPIED.** As applied to any land or structure intended, arranged or designed to be used or occupied.

(22) *General definitions - V*

(a) **VACANT STRUCTURE.** Any building or structure, in whole or in part, including an accessory building, which has become vacant or abandoned for a period of at least 30 consecutive days and which also meet at least one of the following conditions:

1. Is open to casual entry or trespass;
2. Is damaged to an extent which prohibits safe human occupancy;
3. Demonstrates a lack of property maintenance and upkeep;
4. Is under notice for being in violation of city ordinances;
5. Has been secured or boarded up for at least 30 days;
6. Has utilities disconnected or not in use;
7. Is under a condemnation notice or legal order to vacate; or
8. Is structurally unsound.

(b) **VEHICULAR REALM.** That portion of the street right-of-way comprised of vehicle travel lanes, on-street bicycle facilities, and on-street parking lanes.

(c) **VEHICULAR USE AREA.** Any open or unenclosed area containing more than 1,800 square feet of area and/or used by six or more vehicles of any type, whether moving or at rest, including, but not limited to, driveways, parking lots, loading and unloading areas, parking and maneuvering areas within manufactured home parks, and sales and service areas.

(d) **VERTICAL GARDEN.** See **LIVING WALL**.

(e) **VINYL SIDING ACCESSORIES.** Exterior secondary design elements that serve to provide more visual interest and complement the primary home design.

(f) **VISIBLE BASEMENT.** A half story partially below grade and partially exposed above grade with required transparency provided on the street facade.

(g) **VISION REPORT.** The Bridge Street Corridor Vision Report adopted by City Council and as amended.

(23) *General definitions - W*

(a) **WALL LIGHTING.** Accent, emergency, or safety lights intended to illuminate portions of a building façade.

(b) **WALL SIGN.** Any sign attached to or erected against the inside or outside wall of a building or structure, with the exposed display surface of the sign in a plane parallel to the plane of the building or structure and extending less than 14 inches from the building or structure.

(c) **WATER TABLE.** A projecting brick or stone stringcourse, molding or ledge placed to divert rainwater from a building.

(d) **WINDOW SIGN.** Any signs, posters, symbols and other types of identification or information about the use or premises directly attached to the window of a building or erected on the inside of the building and visible from any public area or adjacent property.

(24) *General definitions - X*

(25) *General definitions - Y*

(a) **YARD.**

1. **FRONT YARD.** An area extending the full width of the lot, the depth of which is the minimum horizontal distance between the front lot line and the nearest point of a principal structure.

2. **REAR YARD.** An area extending the full width of the lot the depth of which is the minimum horizontal distance between the rear lot line and the nearest point of the principal structure.

3. **SIDE YARD.** An area between the side line of the lot and the principal structure extending from the front lot line to the rear lot line.

(26) *General definitions - Z*

(a) **ZONING DISTRICT.** A portion of the city within which certain uses of land and/or structures are permitted and within which certain regulations and requirements apply under the provisions of this chapter.

1. **RESIDENTIAL DISTRICT.** The Restricted Suburban Residential District, the Limited Suburban Residential District, the Suburban Residential District (R-3), the Suburban Residential

District (R-4). The Two-Family Residential District, the Urban Residential District, the BSC Residential district, the BSC Historic Residential district and all Planned Districts with predominantly residential uses.

2. *NON-RESIDENTIAL DISTRICT.* All districts not listed under ***RESIDENTIAL DISTRICT.***

(b) ***ZONING ORDINANCE***, or ***ZONING CODE***, or ***CODE***. This chapter. ('80 Code, §§ 1127.01, 1127.02) (Ord. 21-70, passed 7-13-70; Am. Ord. 13-84, passed 5-22-84; Am. Ord. 95-86, passed 12-8-86; Am. Ord. 33-93, passed 6-21-93; Am. Ord. 88-98, passed 11-2-98; Am. Ord. 72-99, passed 7-19-99; Am. Ord. 142-99, passed 2-22-00; Am. Ord. 68-99, passed 9-5-00; Am. Ord. 76-03, passed 8-18-03; Am. Ord. 28-05, passed 6-20-05; Am. Ord. 17-07, passed 4-9-07; Am. Ord. 28-08, passed 5-19-08; Am. Ord. 42-09, passed 5-10-10; Am. Ord. 25-10, passed 8-9-10; Am. Ord. 26-10, passed 8-9-10; Am. Ord. 30-10, passed 9-13-10; Am. Ord. 07-12, passed 3-26-12; Am. Ord. 66-12, passed 11-5-12; Am. Ord. 101-13, passed 1-27-14; Am. Ord. 22-14, 8-25-14; Am. Ord. 91-15, passed 12-7-15; Am. Ord. 09-19, passed 4-8-19; Am. Ord. 44-20, passed 11-9-20)

§ 153.003 SCOPE.

The provisions of this chapter shall apply to all land now within or hereafter annexed to the municipality.

('80 Code, § 1121.02) (Ord. 21-70, passed 7-13-70)

§ 153.004 APPLICATION.

(A) *New development.* New development including the subdivision of land, construction and the use of land or structures shall conform with the regulations for the zoning district in which such development is located.

(1) *New subdivision.* The subdivision or resubdivision of land shall not create lots less than the minimum size required for the zoning district in which such land is located nor shall lots be provided or intended for uses not allowed in the zoning district.

(2) *New structures.* New structures and/or developments shall be permitted only on lots subdivided to meet the requirements of this chapter and in accordance with the subdivision regulations of the municipality and shall conform with the development standards of the zoning districts in which such construction is permitted, except as is otherwise provided for in division (C)(1) below.

(3) *New uses.* Any new use of land or a structure shall be a permitted use or a conditional use for the zoning district in which such use is to be located.

(4) *Determination of use.* In the case of any use of land or structure which cannot readily be determined to be a permitted, conditional or prohibited use within a zoning classification or within any zoning classification, any person may submit to the Manager an application for determination whether the use is either a permitted or conditional use in a specific zoning classification or in any zoning classification of the zoning regulations. A decision shall be made by the Manager who in turn shall notify Council prior to their following meeting of the action he has taken and Council shall have the right to override that decision. The determination by the Manager shall be for the purpose of enabling the applicant to otherwise comply with the zoning regulations regarding necessary applications or permits to be obtained and the decision shall in no way act as a commitment by the Planning and Zoning Commission or any other agency of the municipality as to future zoning, approval of conditional uses or any other zoning matter.

(B) *Existing conforming lots, structures or uses.* Lots, structures or the use of lots and/or structures which conform with the regulations of the zoning district in which they are located may be continued; and may be altered, extended or changed in accordance with the following:

(1) *Conforming lots.* A conforming lot may be changed, altered, enlarged or reduced in dimension, provided however, that the remaining lot and/or resulting lots shall conform to the development standards for the zoning district in which the lot is located.

(2) *Conforming structure.* A conforming structure may be altered, reconstructed or extended only in such manner as will comply with the development standards of the zoning district in which the structure is located.

(5) *Accessory equipment.* No swimming pool accessory equipment, including but not limited to pumping equipment, filtering equipment, diving boards, or slides shall be located in any required yard. All accessory equipment shall be screened with evergreen landscaping to the maximum height of the unit. The maximum permitted height of a diving board or slide shall be ten feet from the established grade, unless otherwise approved by the Administrative Official.

(6) *Permit required.* A building permit is required for permanent swimming pools. The following requirements are to be met:

(a) Submission of a scaled plot plan showing all necessary area, lot coverage, setback, and yard requirements.

(b) Pools shall be graded to contain water on property for which a permit is issued and so as not to harm adjacent property.

(c) Electrical wiring and equipment shall comply with the National Electrical Code; an electrical permit for grounding and other electrical equipment is required.

(d) State Health Board approval is required for community pools.

(e) Fees for a residential/private pool shall be assessed as set forth from time to time by ordinance, per permit.

(f) Fees for commercial public pools shall be calculated under § 150.177.

(g) Swimming pool barrier details are required with the submission of a building permit for permanent residential swimming pools. Swimming pool barrier details shall include the type, height, design, open space dimensions, access gates, and any required door alarms in accordance with the Residential Building Code.

(D) *Non-residential zoning districts.*

(1) Accessory uses and/or structures within non-residential zoning districts shall not exceed 25% of the gross floor area of the principal structure(s) unless otherwise permitted by this chapter.

(2) Required location in non-residential zoning districts or uses. In any zoning district except a residential district, accessory uses or structures shall be on the same lot as the principal use or structure and located subject to the development requirements of the zoning district in which it is located. ('80 Code, § 1183.05) (Ord. 21-70, passed 7-13-70; Am. Ord. 142-99, passed 2-22-00; Am. Ord. 28-05, passed 6-20-05; Am. Ord. 18-07, passed 4-9-07; Am. Ord. 96-07, passed 1-22-08; Am. Ord. 25-10, passed 8-9-10) Penalty, see § 153.999

§ 153.075 USE OF INDIVIDUAL SEWAGE TREATMENT AND INDIVIDUAL WATER SUPPLY.

(A) *Residential development.* A tract of land that was of record on the date of adoption of the zoning ordinance shall not be developed with individual sewage treatment or individual water supply without the approval of the Franklin County District Board of Health. Approval shall be with a finding of adequate control of water pollution and sewage disposal in accordance with the Board of Health rules and regulations.

(B) *Required lot size.* The size of lot or area provided for each dwelling unit shall be of a size or larger than as approved by the Board of Health, but shall be not less than the minimum lot size for the zoning district in which it is located.

('80 Code, § 1183.06) (Ord. 21-70, passed 7-13-70) Penalty, see § 153.999

§ 153.076 PUBLIC NUISANCE REGULATIONS.

Prevention of nuisance. Every structure or use subject to the provisions of this chapter shall be located, arranged and operated in accordance with the following provisions so that it will not interfere with the development and enjoyment of adjacent property.

(A) *Required limits.* The following limits of development and operation are provided to control hazardous, obnoxious or other nuisance activity of uses subject to the provisions of this chapter.

(1) *Noise.* Noise or vibration shall be so controlled that at the property line on which such noise or vibration is produced it will not be at a level above that normally perceptible from other development in the area or from the usual street traffic observed at the street right-of-way line of the lot, except occasional blast or shock required in normal operation and produced in such manner as not to create a hazard.

(2) *Smoke.* Smoke shall be controlled in its emission so as to be less dark in shade than that designated as No. 2 on the Ringlemann Chart published and used by the U.S. Bureau of Mines, except that emission above such level shall be permitted for a period of three minutes or less during the operation of starting or cleaning a fire.

(3) *Dust.* Dust or particulate matter shall be so controlled as not to produce a hazardous or obnoxious situation beyond the property lines of the lot on which such dust or particulate matter is produced.

(4) *Odor or fumes.* Odor or noxious fumes shall be so controlled as not to be offensive nor to create a hazard.

(5) *Glare.* Glare or heat from processing or other activity or lighting shall be so screened as not to be perceptible beyond the property lines of the lot on which such glare or heat is produced.

(B) *Residential property management.* The purpose of this section shall be the enhancement of the public health, safety and welfare by eliminating conditions favorable to pestilence, disease and general unsafe conditions, while at the same time improving the quality and appearance and most likely, the value of residential property for all residents of the municipality.

(1) *Condition of premises; waste accumulation.* No person, firm, or other property owners or residents shall:

(a) Cause or permit waste, garbage, trash or any debris such as lumber and building materials, unused tires or other material to accumulate or remain on their property except as follows:

1. Trash and garbage properly located for normal and regular pickup, provided that such items shall only be permitted to remain exposed to open view for a period of 24 hours immediately preceding and 24 hours immediately after the time scheduled for garbage or trash pickup by a waste collector.

2. All trash and debris associated with or resulting from the construction of either residential or commercial structures permitted hereby shall be contained on the construction site in a stable and secure enclosure no smaller than ten cubic yards. The permit holder shall maintain the enclosure and site so as to control litter and debris at all times, and remove and dispose of the debris in an approved landfill. The enclosure shall be removed from the site within ten days of issuance of the occupancy permit or within ten days of cessation of active construction work.

(b) Permit commercial vehicles or non-private passenger vehicles exceeding four to be parked or remaining in open view upon the premises of a residential neighborhood except in connection with repair or construction work being undertaken at the premises and only during such periods of repair or construction.

(c) Fail to keep the exterior of all residential and commercial premises in good condition, and well-maintained, including painting, if necessary, and such persons shall, within a reasonable time, after notice, remove or remedy all unsightly, dirty and unsafe conditions.

(d) Keep all vacant lots mowed as often as necessary in keeping with the character of the neighborhood to prevent pestilence, insect infestation, and to discourage use of the property for dumping or landfill purposes.

1. All such vacant property shall be kept free of hazardous and unhealthful accumulations of water and other conditions affecting the health and welfare of residents of the municipality.

2. In those instances where such vacant property is being used contrary to municipal zoning laws and other ordinances, the property owner, upon notice, shall take appropriate remedies to prevent such unlawful uses in cooperation with municipal officials.

3. All vacant lots shall be kept seeded or maintained in such manner as to prevent erosion of the property and excess drainage onto adjoining lands and kept free of trash and debris.

(2) *Corrective action by municipal officials.*

(a) All violations of this section which remain uncorrected after not less than ten days' notice to the owner or resident, may be corrected by the municipality, or by any person, firm or organization selected by the municipality, and the costs thereof shall be paid by the owner of such property within 30 days. The notice required herein may be waived if immediate action is required to protect the health, safety, morals, or welfare.

(b) The property owner may pay any such charges in accordance with this chapter to the city within 30 days after the statement of costs is issued without penalty. If the fee is not paid within 30 days after the statement of charges has been mailed to the owner, the Director of Finance shall certify the charges for services to the County Auditor, together with a proper description of the premises. Such amounts shall be entered upon the tax duplicate and shall be a lien upon such lands from the date of entry, and shall be collected as other taxes and returned to the City General Fund as provided by R.C. § 731.54. The recovery of costs by the city pursuant to this section is a remedy in addition to any other penalties that may be levied.

(c) Violations occurring on construction sites may result in the issuance of a stopwork order until the site is brought into compliance.

(d) The city may also take any other judicial actions provided by law to address violations of this section.

(C) *Vacant structures.*

(1) *Intent.* The presence of vacant structures creates an element that lowers property values, leads to deteriorating housing conditions, undermines the quality of neighborhood life, affects the public health, safety and general welfare, and can also result in human injury and criminal activities. Vacant structures occupy an inordinate amount of city administrative and ordinance enforcement resources and the prolonged presence of vacant structures is unacceptable.

(2) *Securing and maintenance of structures and premises.* Any structure on a premises that is designated as vacant is required to be maintained and secured so as not to be accessible to any unauthorized person. A structure or premises shall be secured through the following means, including but not limited to:

(a) Any structure found to be unsecure must be secured within 48 hours of notification.

(b) Damaged or non-secure door, window or other openings may be permitted to be boarded up only to eliminate an immediate hazard, but not to exceed 30 days.

(c) Damaged or broken doors, windows or other openings shall be repaired properly within 30 days of notification.

1. Methods of securing and/or repairing properties shall include materials typically used in other homes such as glass materials for windows, exterior grade doors in entrance and exit areas, and other materials that ensure the structure is compatible with the surrounding area and appears habitable.

2. Wood or plywood materials shall not be permitted beyond 30 days following notification.

(d) Closure and locking of all windows, doors and other openings that may allow access to the interior of a structure.

(3) Vacant buildings will be subject to the following maintenance requirements:

(a) *Structure openings*: Doors, windows, areaways and other openings shall be weather tight and secured against entry by birds, vermin and trespassers. Missing or broken doors, windows and other such openings shall be weather protected and tightly fitted to the opening, and timely repaired or replaced as provided in division (C)(2) of this section.

(b) *Roofs*: Roofs and flashings shall be sound and tight, not admit moisture or have defects, which might admit moisture, rain or roof drainage, and allow for drainage to prevent dampness or deterioration in the interior walls or interior of the structure.

(c) *Drainage*: The structure's storm drainage system shall be functional and installed in a manner consistent with city regulations and allow discharge in a manner consistent with city regulations.

(d) *Structure*: The structure shall be in good repair, not in violation of city regulations, structurally sound and free from debris, rubbish and garbage. The structure shall be sanitary. The structure shall not pose a threat to the public health and safety.

(e) *Structural members*: The structural members shall be free of deterioration and capable of safely bearing imposed dead and live loads.

(f) *Foundation walls*: The foundation walls shall be structurally sound and in a sanitary condition so as not to pose a threat to public health and safety. The walls shall be capable of supporting the load of normal use and shall be free from open cracks and breaks, free from leaks and be rodent proof.

(g) *Exterior walls*: The exterior walls shall be free of holes, breaks and loose or rotting materials. Exposed metal, wood, or other surfaces shall be protected from the elements and against decay or rust by periodic application of weather coating materials, such as paint or similar surface treatment.

(h) *Decorative features:* The cornices, belt courses, corbels, trim, wall facings and similar decorative features shall be safe, anchored and in good repair. Exposed metal, wood or other surfaces shall be protected from the elements and against decay or rust by periodic application of weather coating materials, such as paint or similar surface treatment.

(i) *Overhanging extensions:* All balconies, canopies, marquees, signs, metal awnings, stairways, fire escapes, standpipes, exhaust ducts and similar features shall be in good repair, anchored, safe and sound. Exposed metal and wood surfaces shall be protected from the elements and against decay or rust by periodic application of weather coating materials, such as paint or similar surface treatment.

(j) *Chimneys and towers:* Chimneys, towers, and similar features shall be structurally safe and in good repair. Exposed metal and wood surfaces shall be protected from the elements and against decay or rust by periodic application of weather coating materials, such as paint or similar surface treatment.

(k) *Walkways:* Walkways shall be safe for pedestrian travel.

(l) *Accessory structures:* Accessory structures such as garages, sheds and fences shall be free from safety, health and fire hazards and shall comply with all regulations for vacant structures.

(m) *Premises:* The premises upon which the structure is located shall be clean, safe and sanitary. It shall be free from waste, rubbish, debris or excessive vegetation in compliance with city regulations and shall not pose a threat to public health and safety.

The enumeration of the foregoing requirements for vacant buildings shall not be construed as exempting or waiving other generally applicable requirements of local property maintenance, health, or building codes.

(4) *Right of entry and inspections.* If the owner has failed to maintain a property, the city may enter or reenter the exterior areas of the premises to conduct necessary inspections to ensure compliance with the requirements of this chapter and to determine if there are any emergency or hazardous conditions, and to abate such conditions at the owner's expense.

(5) *Reuse and occupancy.* No vacant structures shall be reoccupied until inspected and found to be in full compliance with all applicable city codes and a certificate of occupancy is issued by the city.

(6) *Responsibility for violations.* All nuisance, housing, building and related code violations will be cited and noticed to the owner of record and shall become the owner's responsibility to bring in compliance. If the owner sells or otherwise disposes of the property to another party, the new owner shall not be entitled to any extension of time to correct or address such violations as existed at the time of sale, transfer or conveyance of the property.

(7) *Exemptions.*

(a) A building under active construction/renovation and having a valid building permit(s) at the time of initial inspection shall be exempt from enforcement procedures until the expiration of the longest running, currently active building permit.

(b) A building that has suffered fire damage or damage caused by extreme weather conditions shall be exempt from enforcement procedures for a period of 90 days after the date of the fire or extreme weather event if the property owner submits a request for exemption in writing to the Code Enforcement Officer. This request shall include the names and addresses of the owner or owners, and a statement of intent to repair and reoccupy the building in an expedient manner, or the intent to demolish the building.

(c) Any owner of a vacant building may request an exemption from the provisions of this chapter by filing a written application with the city who shall timely consider same. In determining whether a request for exemption should be granted, the city shall consider the following: the applicant's prior record as it pertains to Property Maintenance Code violations; the amount of vacant property the applicant currently has within the city; and the length of time that the building for which the exemption is sought has been vacant. The city shall approve, approve with conditions, or reject the completed application for exemption within 30 days of receiving it.

(D) *Weeds.*

(1) *Definitions.* Any word or phrase used in these guidelines, which is not defined here shall have the meaning used in the section appropriate to the context in which such word or phrase is used.

(a) **GRASS.** Any of a large family (Gramineae) of monocotyledonous, mostly herbaceous plants with jointed stems, slender sheathing leaves, and flowers borne in spikelet's of bracts.

(b) **NOXIOUS.** Physically harmful or destructive to living beings.

(c) **NOXIOUS WEEDS.** Any type or species that have been included on the official list of noxious plants for the state.

(d) **WEED.** Plant that is not valued where it is growing and tends to overgrow more desirable plants.

(2) *Removal of noxious weeds and grass; duty of Code Enforcement Officer.*

(a) No person, whether as owner, lessee, agent, tenant or any other person having charge or care of land in the city, shall permit noxious weeds or grass to grow thereon to a height in excess of six inches or fail to cut and destroy such noxious weeds and grass when notified by the Code Enforcement Officer.

(b) The Code Enforcement Officer shall determine when lots and lands in the city contain noxious weeds and grass which constitute a nuisance or endanger the public health, and shall see that such weeds and grass are removed or the nuisance abated.

(3) *Notice to owner to cut weeds and grass.*

(a) The Code Enforcement Officer shall cause written notice to be served once each growing season, March 1 through October 31 of each calendar year, upon the owners, lessees, tenants or other persons or entities having charge or care of land in the city, notifying him that noxious weeds and grass are growing on such property and that they shall be cut and destroyed within five days after service of such notice and thereafter during the growing season with sufficient frequency to prevent such noxious weeds and grass from exceeding six inches.

(b) Service of the notice may be served by certified mail, as listed in the County Auditor's tax lists at the mailing address as shown on such tax lists; ordinary mail if the certified mail is refused or unclaimed; personal service, by posting at the subject property; or by publishing such a notice once in a newspaper of general circulation in the city.

(4) *Failure of owner to comply.* The Code Enforcement Officer may determine that noxious weeds and grass are growing on land for which a notice has been issued pursuant to division (D)(1) of this section, which constitute a nuisance and/or endanger the public health, safety or welfare, and that the person having charge or care of the land has neglected or refused to comply with the notice. Thereupon, the Code Enforcement Officer may cause such noxious weeds and grass to be cut by use of city forces and equipment or by the hiring of private contractors.

(5) *Costs.* The property owner shall pay all costs associated with the cutting and removal of the noxious weeds and grass. Upon completion of the cutting and removal of the noxious weeds and grass, the Code Enforcement Officer shall determine the cost of cutting and removal, and shall cause a statement thereof to be mailed to the owner of the land.

(6) *Payment of costs; unpaid costs a lien.* The property owner may pay such fees as charged in accordance with this chapter to the city within 30 days after the statement of costs is issued without penalty. If the fee is not paid within 30 days after the statement of charges has been mailed to the owner, the Director of Finance shall certify the charges for services as provided in division (D)(3) of this section to the County Auditor, together with a proper description of the premises. Such amounts shall be entered upon the tax duplicate and shall be a lien upon such lands from the date of entry, and shall be collected as other taxes and returned to the City General Fund as provided by R.C. § 731.54. The recovery of costs by the city pursuant to this section is a remedy in addition to the penalty provided in division (D)(8) of this section.

(7) *Exemptions.* Areas cultivated specifically as a wildflower area, vegetable garden, or undeveloped land exceeding one acre in size designated as a natural area for birds and other wildlife are exempt from the provisions of this chapter. Designated natural areas abutting residential property or city right-of-way must maintain a 100 foot buffer at a maximum six inches in height around the perimeter of the entire site.

(8) *Penalty.* Whoever violates any provision of divisions (D)(1) through (D)(6) or (E) of this section is guilty of a minor misdemeanor. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such.

(E) *Storage of residential waste and recycling containers.*

(1) All residential waste and recycling containers shall be placed inside the garage of a residence or to a location at the side or rear of the residence that is shielded from the view of any adjoining property's occupants and any street by natural landscape barriers, which will maintain a 100% year round opacity within two years of planting. Any landscape barrier is subject to the review and approval of the City Manager or the Manager's designee.

(2) For properties located in the Architectural Review District, as defined by § 153.170(A) and illustrated in Appendix F, containers housing residential waste, yard waste, or recycling materials shall be placed inside the garage of a residence or to a location at the side or rear of the residence that is shielded from the view of any adjoining property's occupants and any street by natural landscape barriers, fence or wall so long as it maintains 100% year round opacity and is compatible with the material and color of the adjacent structure. Screening shall be provided on all sides of the storage area to a height of six inches more than the tallest waste or recycling container. A solid gate matching the screening material is permitted on one side of the structure for walls and fences to provide access to the storage area. For landscape barriers, one side is permitted to remain open so long as it does not directly face a public street or adjacent property. Residential waste and recycling container screening located within the Architectural Review District is subject to review and approval through the certificate of zoning plan approval (CZPA) process.

(F) *Parking in residential districts.*

(1) For purposes of this section, the following definitions shall apply.

(a) **COMMERCIAL VEHICLE.** Any vehicle used or designed to be used for business or commercial purposes which infringes on the character of a residential district and includes, but is not necessarily limited to: a bus, cement truck, commercial tree trimming equipment, construction equipment, dump truck, garbage truck, panel truck, semi-tractor, semi-trailer, or any other non-recreational trailer used for commercial purposes, stage bed truck, step van, tank truck, tar truck, or other commercial-type vehicle licensed by the Ohio State Bureau of Motor Vehicles as a commercial vehicle or commercial truck.

(b) **PERSONAL AUTOMOBILE.** Any vehicle that seats less than ten passengers, is registered as a passenger vehicle or a noncommercial truck, and used for the sole purpose of transporting resident(s) and guests(s) to and from daily activities.

(c) **RECREATIONAL VEHICLE.** Any motorized vehicle and/or associated nonmotorized equipment used for camping, traveling, boating, or other leisure activities including, but not limited to campers, boats, travel trailers, motor buses (more than nine passengers), motor homes, snow mobiles, wave runners, and other vehicles designed for traveling on water (motorized and non-motorized).

Trailers used for transporting this type of vehicle, or any trailers used for hauling equipment or materials, are also included within this definition.

(2) *Commercial vehicles.* Commercial vehicles are prohibited within residential districts, except as follows: commercial vehicles are permitted within an enclosed garage provided the garage door is no taller than nine feet in height.

(3) *Recreational vehicles.* A recreational vehicle may be stored on a residential property provided it is fully enclosed by a structure so that it cannot be entered upon or seen from an adjacent street.

(4) *Personal automobiles.* The following restrictions apply to personal automobiles.

(a) *Location.* No personal automobile shall be parked, stored, or allowed to remain on a lot or parcel of land that does not contain a principal structure. Personal automobiles must be parked on a hard surface and shall be prohibited within required side or rear yards and no-build/disturb zones. All personal automobiles shall be parked in a safe manner and shall not obstruct the public right-of-way.

(b) *Registration.* All personal automobiles shall be operable and have a valid registration and license within the most recent 12-month period. For purposes of this section, operable means capable of being started and driven from the location in question.

(c) *Maintenance/condition.* All inadequately maintained personal automobiles shall be removed from the residential lot. "Inadequately maintained" includes, but is not limited to broken windows or windshield, missing wheels, tires, motor or transmission, and/or malfunctioning engines, systems or parts.

(5) *Exemptions.*

(a) *Habitation/guest occupancy.* A recreational vehicle may be located on a residential lot and outside of an enclosed structure for up to 72 hours in any 30-day period, provided the owner or person in charge of the vehicle is a guest of the resident(s) of that lot. The recreational vehicle will be prohibited within the public right-of-way, any required side or rear yards and no-build/disturb zones. In no case shall the vehicle be used for overnight sleeping or living.

(b) *Construction/delivery.* Division (F)(2) of this section shall not apply to commercial vehicles used for conveying the necessary tools and materials to premises where labor, using such tools and materials, is to be performed during the time of parking such vehicles. Division (F)(2) of this section shall not apply during the time which commercial vehicles are being loaded or unloaded or used to deliver or hoist property or merchandise for completion of delivery, if such actions are conducted diligently and without unnecessary delay.

(G) *Littering.*

(1) *Deposit of litter on occupied private property.* No person shall throw or deposit litter on any occupied private property within the city, whether owned by such person or not, except that the

owner or person in control of private property may maintain authorized private receptacles or collection in such a manner that litter will be prevented from being carried or deposited by the elements upon any street, sidewalk, or other public place or upon any private property.

(2) *Maintenance of litter free premises.* The owner or person in control of any private property shall at all times maintain the premises free of litter; but this section shall not prohibit the storage or litter in authorized private receptacles for collection, or within any building when not in violation of any health, fire, building code or other regulation, order, ordinance or statute.

(3) *Vacant lots.* No person shall throw or deposit litter on any open or vacant private property within the city whether owned by such person or not. Vacant lots shall be kept free of litter at all times by the person responsible for the property.

(4) *Business establishments: receptacles.* Every person owning, or managing, or having charge, control or occupancy of any real property in the city, who maintains a receptacle designated for their use shall dispose of refuse in such a way that said receptacle shall not overflow and the refuse so deposited shall not circulate freely in the environment.

(5) *Receptacles: sanitary conditions.* Every person owning, or managing, or having charge, control or occupancy of any real property in the city who maintain litter receptacles shall maintain such containers and receptacles in good condition. No receptacle may have ragged or sharp edges or any other defect liable to hamper or injure the person depositing or collecting the contents thereof.

(6) *Unsightly premises.* Every person owning, or managing, or having charge, control or occupancy of any real property in the city shall not allow any part of such property visible from the street or adjoining premises to become so unsightly or untidy as to substantially detract from the appearance of the immediate neighborhood or tend to threaten the safety and welfare of the immediate neighborhood.

(7) *Abatement.* All persons, firms, or corporations owning, leasing or occupying buildings, grounds, or lots are hereby required to remove rubbish, trash, weeds, or other accumulation of filth or debris which constitutes a hazard to the public health, safety and welfare, from buildings, grounds, lots, contiguous sidewalks, streets, and alleys.

(8) *Enforcement.* In case of failure or refusal to comply with any such notice of abatement, the work required thereby may be done at the expense of the city and the amount of money expended therefor shall be a valid claim against the owner, occupant or person in charge and a lien upon such land which may be enforced by suit in any court of competent jurisdiction. Proceedings under this division shall not relieve any party defendant from criminal prosecution or punishment for violation of any other criminal law or ordinance in force within the city.

(H) *Penalty.*

(1) All violations will be subject to administrative enforcement procedures outlined by administrative order of the City Manager.

(2) Any person violating any provisions of this section shall be guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to a violation of this section or any substantially equivalent state law or municipal ordinance, the offender shall be guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to two or more violations of this section or any substantially equivalent state law or municipal ordinance, the offender shall be guilty of a misdemeanor of the third degree.

(3) Each day such violation is committed or permitted to continue after the initial five working days to abate shall constitute a separate offense and shall be punishable as such hereunder.

(4) Any exterior premises or structure kept in violation of the provisions of this section interferes with the health, safety, and welfare of the public, and is hereby declared to be a public nuisance. In addition to prosecution of such violations, the city may initiate and prosecute proceedings to enjoin the perpetuation of such nuisance conditions, and take such other remedial measures as permitted by law to abate the nuisance conditions and charge the costs of such proceedings or abatement measures against the property for collection in the manner of real property taxes.

('80 Code, § 1183.10) (Ord. 21-70, passed 7-13-70; Am. Ord. 14-17, passed 2-27-17; Am. Ord. 44-20, passed 11-9-20) Penalty, see § 153.999

Cross-reference:

For containment and limitation upon construction noise, see § 150.160

§ 153.077 SCREENING OF SERVICE STRUCTURES.

Service structures shall be screened in all zoning districts. For the purposes of this section, service structures shall include but not be limited to loading docks, storage tanks, dumpsters, electrical transformers, utility vaults which extend above the surface, cooling towers, roof top units and other equipment or elements providing service to a building or a site. Structures may be grouped together; however, screening height shall be based upon the tallest of the structures. Roof top mechanical units must be screened to the full height of the unit.

(A) *Screening requirements.* A continuous (having 100 percent opacity) planting, hedge, fence, wall of earth, which would enclose any service structure on all sides is required, unless such structure must be frequently moved, in which case screening on all but one side is required. The height of the screening material shall be one foot more than the height of the enclosed structure, but shall not be required to exceed 12 feet in height. Whenever a service structure is located next to a building wall, perimeter landscaping material or vehicular use area landscaping material, such walls or screening material, may fulfill the screening requirement for that side of the service structure if that wall or screening material is of sufficient height to meet the height requirement set out in this section. Plant material used to screen a service structure shall be an evergreen species which retains its needles throughout the year. Deciduous plant material cannot be used to fulfill this screening requirement. The height of the evergreen plant material at installation must be equal to, or greater than, two-thirds of the height of the service structure(s), and meet the height and opacity requirements within four years. No interior landscaping shall be required within an area screened for service structures.

(B) *Curbs to protect screening material.* Whenever screening material is placed around any trash disposal unit or waste collection unit which is emptied or removed mechanically on a regularly occurring basis, a curb to contain the placement of the container shall be provided within the screening material on these sides where there is such material. The curbing shall be at least one foot from the material and shall be designed to prevent possible damage to the screening when the container is moved or emptied. (Ord. 46-97, passed 5-5-97)

FENCES

§ 153.078 PURPOSE AND SCOPE.

The purpose of these provisions is to establish regulations controlling the use and type of fences or walls. This is for the conservation and protection of property, the assurance of safety and security, the enhancement of privacy, and the improvement of the visual environment. This includes the provision of a neat and orderly appearance consistent with the neighborhood and community character. (Ord. 75-98, passed 3-20-00; Am. Ord. 28-09, passed 6-15-09; Am. Ord. 66-12, passed 11-5-12)

§ 153.079 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply, unless the context clearly indicates or requires a different meaning.

FENCE - GENERAL. The word ***FENCE*** shall in general terminology mean any structure composed of wood, metal, stone, plastic, cellular vinyl, or other natural and permanent material erected and positioned as to enclose or partially enclose any premises or any part of any premises. Trellises, or other structures supporting, or for the purpose of supporting vines, flowers and other vegetation when erected in such position as to enclose or partially enclose or separate any premises shall be included

Dublin - Land Usage

<i>Ord. No.</i>	<i>Date</i>	<i>Description</i>
85-18	11-19-18	Acquire a 0.011-acre fee simple warranty deed for right-of-way, without limitation of existing access rights from J. Larry Fleck, for the public purpose of constructing a new roadway which shall be open to the public without charge.
86-18	11-19-18	Acquire a 4.215 acre, more or less, fee simple interest from Thomas Family LP.
94-18	1-8-19	Acquire the entire parcel from Karen M. Sharp and Michael R. Sharp, located at 5555 Avery Road.
16-19	5-6-19	Acquire the property located at 5498 Avery Road, in its entirety, from John J. Quinn and Felicia Quinn.
27-19	6-10-19	Real estate purchase agreement to convey the property located at 5800 Shier-Rings Road to Air Force One, Inc.
35-19	6-24-19	Real estate purchase agreement to convey the property located at 7001 Dublin Park Drive to Chiller LLC.
49-19	10-21-19	Authorizing the City Manager to execute necessary conveyance documents and to accept conveyance of a 0.081-acre fee simple warranty deed for right-of-way, without limitation to existing access rights from Gregory Brown from the property located at 4321 Bright Road.

Dublin - Table of Special Ordinances

<i>Ord. No.</i>	<i>Date</i>	<i>Description</i>
54-19	11-4-19	Authorizing the City Manager to execute and accept necessary conveyance documents and contracts to acquire a 0.041-acre fee simple warranty deed for right-of-way, without limitation of existing access rights from A.V. Tedeschi and J.C. Tedeschi, located at 5491 Cara Court.
55-19	11-4-19	Authorizing the City Manager to execute and accept necessary conveyance documents and contracts to acquire a 0.110-acre fee simple warranty deed for right-of-way, without limitation of existing access rights from Vineyard Christian Fellowship at Tuttle Crossing, located at 5400 Avery Road.
62-19	11-18-19	Authorizing the City Manager to execute necessary conveyance documents and to accept conveyance of a 0.072-acre fee simple warranty deed for right-of-way, without limitation of existing access rights from CBJ on High, LLC, from the property located at 158 S. High Street.
Res. 29-20	5-26-20	Declaring certain city-owned property as surplus and authorizing the City Manager to dispose of said property.
18-20	8-10-20	Authorizing the City Manager to enter into a real estate transfer agreement for certain city owned property on Crosby Court and certain property owned by Tuttle Emerald LLC on Parkwood Place.

Acquisition and Disposal of Real Property

14KKK

<i>Ord. No.</i>	<i>Date</i>	<i>Description</i>
43-20	11-9-20	Acquiring the property located at 6480 Shier Rings Road, identified as Franklin County Parcel Number 273-000304-00 from Joseph F. Monska, trustee.
53-20	12-7-20	Authorizing the City Manager to enter into a real estate purchase agreement to convey 0.002 acres of land located between North High Street and Darby Street.

Agreements

16WWWW

<i>Ord. No.</i>	<i>Date</i>	<i>Description</i>
Res. 12-20	1-21-20	Authorizing the City Manager to execute an intergovernmental agreement with the Franklin County Commissioners for the administration of wireless 9-1-1 government assistance funds.
08-20	3-2-20	Authorizing the provision of certain incentives to g2o, LLC to induce it to lease or purchase a facility to locate and expand its national headquarters and its associated operations and workforce, all within the city; and authorizing the execution of an economic development agreement.
Res. 17-20	3-2-20	Accepting the lowest and best bid for the 2020 sanitary sewer lining project.
Res. 18-20	3-16-20	Authorizing the City Manager to enter into an agreement with Rev1 Ventures.
Res. 19-20	3-16-20	Accepting the lowest and best bid for the 2020 shared-use path and parking lot maintenance programs.
Res. 20-20	3-16-20	Accepting the lowest and best bid for the 2020-2022 pavement marking services.
Res. 22-20	4-13-20	Accepting the lowest and best bid for the signalized intersection upgrade - Phase 2 project.
Res. 26-20	5-26-20	Accepting the lowest and best bid for the 2020 stormwater maintenance program.

Dublin - Table of Special Ordinances

<i>Ord. No.</i>	<i>Date</i>	<i>Description</i>
Res. 27-20	5-26-20	Accepting the lowest and best bid for the 2020 street maintenance program - Phase 1.
Res. 30-20	6-8-20	Accepting the lowest and best bid for the Cosgray Ditch - Phase 1 project.
Res. 31-20	6-8-20	Authorizing the City Manager to enter into a contract with and execute a guaranteed maximum price amendment with Ruscilli Construction Co., Inc., construction manager at risk, for Phase 3 of the Dublin 5555 Perimeter Drive (future City Hall) renovation project and Council Chamber addition construction project.
Res. 32-20	6-22-20	Accepting the lowest and best bid for the 2020 street maintenance program - Phase 2.
Res. 33-20	6-22-20	Accepting the lowest and best bid for the 2020 sidewalk maintenance program.
Res. 35-20	6-22-20	Authorizing the City Manager to enter into a contract with and execute a guaranteed maximum price amendment with Marker Construction Co., Inc., construction manager at risk, for Phase 1 of the Dublin 5660 Dublinshire Drive Dublin community pool north construction project.
Res. 38-20	7-27-20	Authorizing the City Manager to enter into an agreement with the City of Columbus.

Agreements

16YYYYY

<i>Ord. No.</i>	<i>Date</i>	<i>Description</i>
Res. 39-20	7-27-20	Authorizing the City Manager to enter into a contract with Dublin City Schools.
Res. 44-20	8-24-20	Authorizing the City Manager to enter into a contract with and execute a guaranteed maximum price amendment with Marker Construction Co., Inc.
Res. 47-20	9-14-20	Authorizing the City Manager to enter into contracts with Danbert, Inc.
Res. 48-20	9-28-20	Authorizing the City Manager to enter into a contract with Vasco Sports Contractors.
Res. 50-20	9-28-20	Authorizing the City Manager to enter into an agreement with Dublin Development, LLC.
Res. 62-20	10-12-20	Authorizing the City Manager to enter into contracts with Strawser Paving Co., Inc.
Res. 63-20	10-12-20	Authorizing the City Manager to enter into contracts with Lake Erie Construction Company.
Res. 64-20	11-9-20	Authorizing the City Manager to enter into a contract with the Board of Health of the Franklin County General Health District.
Res. 65-20	11-9-20	Authorizing the City Manager to enter into a contract with and execute a second phase guaranteed maximum price amendment with Turner Construction Company.

Dublin - Table of Special Ordinances

<i>Ord. No.</i>	<i>Date</i>	<i>Description</i>
Res. 69-20	11-16-20	Authorizing the City Manager to enter into an agreement with Washington Township.
Res. 72-20	12-7-20	Authorizing the City Manager to enter into contract with E. Lee Construction, Inc.
Res. 74-20	12-7-20	Authorizing the City Manager to enter into an agreement with Rev1 Ventures.

<i>Ord. No.</i>	<i>Date</i>	<i>Description</i>
Res. 23-20	4-13-20	Approving and accepting the plat for The Corners Subdivision.
Res. 24-20	4-13-20	Approving and accepting the plat for University Boulevard Phase 2 right-of-way dedication and subdivision.
Res. 28-20	5-26-20	Approving and accepting the plat for Deer Run Estates.
Res. 36-20	6-22-20	Approving and accepting the plat for the Oak Park, Subarea F Subdivision.
Res. 43-20	7-27-20	Approving and accepting the plat for University Boulevard Phase 2 and lot size variances to resubdivide certain lots to address county requirements for parcels crossing school district boundaries and to create a parcel for the preservation of a historic cemetery.

<i>Ord. No.</i>	<i>Date</i>	<i>Description</i>
18-19	5-6-19	Acquire a 0.021-acre standard highway easement from Charles Fry and Amy Fry, located at 5540 Cara Court.
19-19	5-6-19	Acquire a 0.016-acre standard highway easement from Christopher Freeman and Michele Freeman, located at 5545 Cara Court.
20-19	5-6-19	Acquire a 0.009-acre sewer easement from the Village of Balgriffin Condominium, located along Avery Road.
50-19	10-21-19	Accept conveyance of 0.074-acre, more or less, perpetual public utility easement from Daniel L. Trubisky and Susan L. Trubisky from the property located at 7130 Grandee Cliffs Drive.
51-19	10-21-19	Accept conveyance of a 0.034-acre, more or less, perpetual public utility easement from Sandra H. Taylor, trustee from the property located at 7143 Grandee Cliffs Drive.
52-19	10-21-19	Accept conveyance of a 0.035-acre, more or less, perpetual public utility easement from Brian J. Celek from the property located at 7129 Grandee Cliffs Drive.
54-19	11-4-19	Acquire a 0.075-acre standard highway easement from A.V. Tedeschi and J.C. Tedeschi, located at 5491 Cara Court.

Dublin - Table of Special Ordinances

<i>Ord. No.</i>	<i>Date</i>	<i>Description</i>
55-19	11-4-19	Acquire a 0.040-acre temporary construction easement and a second 0.010-acre temporary construction easement from Vineyard Christian Fellowship at Tuttle Crossing, located at 5400 Avery Road.
56-19	11-4-19	Acquire a 0.041-acre standard highway easement from Brian Rightler and Erica Rightler, located at 6129 Cara Road.
12-20	4-27-20	Accept a sanitary sewer easement from Carmen Michael Villopoto located at 7685 Dublin Plain City Road.
13-20	5-26-20	Accept a 0.0681-acre sanitary sewer easement from Darshan Shah located at 8700 Hyland Croy Road.
17-20	8-10-20	Conveying perpetual gas line easements and temporary construction easements to Columbia Gas of Ohio, Inc.
22-20	9-14-20	Conveying a perpetual gas line easement to Columbia Gas of Ohio, Inc. along Riverside Drive.
24-20	9-28-20	Acquire a 0.069-acre standard highway easement from Chester A. Gunka, located at 6149 Cara Road.
27-20	10-12-20	Acquire a 0.204 acre, more or less, perpetual easement from the Muirfield Association, Inc. from Reserve "RRRR" located on the north side of Glick Road.

Easements

36KKKK

<i>Ord. No.</i>	<i>Date</i>	<i>Description</i>
33-20	11-9-20	Appropriating property and easements from Anthony Gioffre and John Gioffre, from the property located at 6262 Eiterman Road.
34-20	11-9-20	Appropriating property and easements from 33 Dublin Industrial Park, LLC, from the property located at 6280 Rings Road.
35-20	11-9-20	Appropriating property and easements from William L. Baker and Nancy A. Baker, from the property located at 6430 Shier Rings Road.
36-20	11-9-20	Appropriating property and easements from Sertek, LLC, from the property located at 6399 Shier Rings Road.
37-20	11-9-20	Appropriating property and easements from SH 725 LLC, from the property located at 6245 Old Avery Road.
38-20	11-9-20	Appropriating property and easements from W. Baker Holdings, LLC and William L. Baker, from the property located at 6360-6390 Rings Road.
39-20	11-9-20	Appropriating property and easements from Avery Lakes Partners, LLC, from the property located at 6201-6233 Avery Road.
40-20	11-9-20	Appropriating property and easements from Dolan Investments II, from the property located at 6385 Avery Road.

Dublin - Table of Special Ordinances

<i>Ord. No.</i>	<i>Date</i>	<i>Description</i>
41-20	11-9-20	Appropriating property and easements from Samuel M. Baker, from the property located at 6252 Avery Road.
42-20	11-9-20	Appropriating an easement from Medex, Inc., from the property located at 6250 Shier Rings Road.

<i>Ord. No.</i>	<i>Date Passed</i>	<i>Description</i>
Res. 68-11	12-12-11	Authorizing the City Manager to execute a lease agreement with Metro Data Center, LLC for the purpose of establishing the TechDEC and extending the city's optical fiber system into 565 Metro Place South.
Res. 19-12	4-9-12	Authorizing the City Manager to execute a lease agreement with 7001 Post Road, LLC for the purpose of continuing the Dublin Entrepreneurial Center Operations.
Res. 47-12	8-20-12	Authorizing the City Manager to execute a lease agreement with Metro Data Center, establishing the Dublin Entrepreneurial Center at 565 Metro Place South, Suite 300.
77-13	10-14-13	Authorizing the City Manager to enter into a five-year extension of the lease agreement with the Dublin Chamber of Commerce for the city-owned property at 129 S. High Street.
Res. 21-14	3-24-14	Authorizing the City Manager to execute an amended ground lease with New Era Golf Club Ohio GCD Inc.
Res. 22-14	3-24-14	Authorizing the City Manager to execute an amended lease agreement with GTN Corporation.
48-14	6-9-14	Authorizing the City Manager to execute a lease with Byers Realty LLC for the property formerly owned by Byers and sold to the

Dublin - Table of Special Ordinances

<i>Ord. No.</i>	<i>Date Passed</i>	<i>Description</i>
48-14 (Cont'd)		city via Ordinance No. 11-14, consisting of 10.0 acres, more or less, fee simple interest located east of Village Parkway and south of Tuller Road.
Res. 25-15	2-23-15	Authorizing the City Manager to execute a lease agreement with Metro Data Center expanding the Dublin Entrepreneurial Center at 565 Metro Place South, Suite 190.
Res. 73-17	10-9-17	Authorizing the City Manager to execute a renewal of a parking lease agreement with Dublin Community Church.
Res. 35-18	7-2-18	Lease agreement with Air Force One, Inc. for approximately 1,800 square feet at 5800 Shier Rings Road.
Res. 48-18	8-13-18	Authorizing the City Manager to execute a second addendum for a one-year extension of a lease with Chiller, LLC, for 7001 Dublin Park Drive (the "Chiller").
Res. 60-18	9-24-18	Executing a Triple Net Commercial Lease Agreement for a primary term of five years with GTN Corporation for the Dublin Village Tavern property located at 27-29 South High Street.
34-19	2-10-20	Executing a lease agreement with the Dublin Chamber of Commerce, Incorporated for the property located at 129 South High Street.
Res. 49-20	9-28-20	Executing a renewal of a parking lease agreement with Dublin Community Church.

References to Ordinances

50-00

<i>Ord. No.</i>	<i>Date Passed</i>	<i>Description</i>
61-18	9-24-18	T.S.O. V
62-18	9-24-18	T.S.O. V
63-18	9-24-18	T.S.O. V
64-18	9-24-18	T.S.O. V
65-18	10-8-18	35.80 - 35.84
66-18	10-22-18	T.S.O. XI
67-18	10-22-18	T.S.O. XI
68-18	10-22-18	T.S.O. XI
70-18	10-22-18	T.S.O. II
71-18	10-22-18	T.S.O. I
72-18	11-5-18	T.S.O. III
77-18	11-19-18	153.061
79-18	11-19-18	T.S.O. V
80-18	11-19-18	T.S.O. V
81-18	11-19-18	T.S.O. V
82-18	11-19-18	T.S.O. V
83-18	11-19-18	T.S.O. V
84-18	11-19-18	T.S.O. V
85-18	11-19-18	T.S.O. I
86-18	11-19-18	T.S.O. I
89-18	1-22-19	T.S.O. X
90-18	1-8-19	T.S.O. V
91-18	1-8-19	T.S.O. V
92-18	1-8-19	T.S.O. V
93-18	1-8-19	T.S.O. V
94-18	1-8-19	T.S.O. I
95-18	1-8-19	T.S.O. V
02-19	2-11-19	T.S.O. X
05-19	2-25-19	T.S.O. II
07-19	3-18-19	T.S.O. IX
08-19	4-22-19	T.S.O. II
09-19	4-8-19	153.002, 153.060, 153.061, 153.063, 153.064, 153.065, 153.066
10-19	4-8-19	T.S.O. V
11-19	4-8-19	152.086
13-19	4-22-19	Adopting Ordinance
14-19	5-6-19	T.S.O. V
15-19	5-6-19	T.S.O. V
16-19	5-6-19	T.S.O. I
17-19	5-6-19	T.S.O. V
18-19	5-6-19	T.S.O. V

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20-19	5-6-19	T.S.O. V
21-19	5-6-19	T.S.O. II
22-19	5-6-19	T.S.O. II
25-19	5-20-19	T.S.O. II
27-19	6-10-19	T.S.O. I
28-19	6-24-19	T.S.O. III
30-19	6-24-19	T.S.O. II
31-19	6-24-19	T.S.O. II
32-19	6-24-19	T.S.O. II
33-19	6-24-19	T.S.O. II
34-19	2-10-20	T.S.O. VII
35-19	6-24-19	T.S.O. I
37-19	8-26-19	35.121, 35.122, 35.123, 35.125, 35.126, 35.128, 35.129
41-19	8-26-19	T.S.O. II
42-19	8-26-19	T.S.O. II
43-19	9-9-19	T.S.O. II
44-19	9-23-19	T.S.O. III
45-19	9-23-19	Adopting Ordinance
46-19	9-23-19	T.S.O. II
49-19	10-21-19	T.S.O. I
50-19	10-21-19	T.S.O. V
51-19	10-21-19	T.S.O. V
52-19	10-21-19	T.S.O. V
53-19	11-4-19	T.S.O. X
54-19	11-4-19	T.S.O. I, V
55-19	11-4-19	T.S.O. I, V
56-19	11-4-19	T.S.O. V
57-19	11-4-19	T.S.O. II
60-19	11-4-19	T.S.O. II
61-19	11-4-19	T.S.O. II
62-19	11-18-19	T.S.O. I
63-19	11-18-19	35.80 - 35.84
66-19	11-18-19	T.S.O. II
67-19	12-2-19	T.S.O. II
70-19	12-2-19	T.S.O. X
73-19	10-12-20	122.01 - 122.12, 122.99
01-20	1-21-20	T.S.O. II
02-20	2-10-20	T.S.O. III
03-20	2-10-20	T.S.O. III

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05-20	2-10-20	T.S.O. XI
06-20	6-22-20	T.S.O. X
07-20	2-24-20	T.S.O. X
08-20	3-2-20	T.S.O. II
09-20	4-13-20	150.230, 150.231
11-20	4-27-20	Adopting Ordinance
12-20	4-27-20	T.S.O. V
13-20	5-26-20	T.S.O. V
17-20	8-10-20	T.S.O. V
18-20	8-10-20	T.S.O. I
22-20	9-14-20	T.S.O. V
24-20	9-28-20	T.S.O. V
27-20	10-12-20	T.S.O. V
28-20	10-26-20	Adopting Ordinance
31-20	11-9-20	51.64, 52.06
33-20	11-9-20	T.S.O. V
34-20	11-9-20	T.S.O. V
35-20	11-9-20	T.S.O. V
36-20	11-9-20	T.S.O. V
37-20	11-9-20	T.S.O. V
38-20	11-9-20	T.S.O. V
39-20	11-9-20	T.S.O. V
40-20	11-9-20	T.S.O. V
41-20	11-9-20	T.S.O. V
42-20	11-9-20	T.S.O. V
43-20	11-9-20	T.S.O. I
44-20	11-9-20	153.002, 153.076
45-20	11-16-20	35.80 - 35.84
53-20	12-7-20	T.S.O. I

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40-19	7-29-19	T.S.O. IV
41-19	7-29-19	T.S.O. IV
42-19	8-26-19	T.S.O. IV
45-19	8-26-19	T.S.O. II
46-19	8-26-19	T.S.O. II
48-19	9-23-19	T.S.O. II
49-19	9-23-19	T.S.O. IV
50-19	9-23-19	T.S.O. IV
59-19	11-4-19	T.S.O. IV
60-19	11-4-19	32.85 - 32.87
62-19	11-18-19	T.S.O. II
63-19	11-18-19	T.S.O. II
64-19	11-18-19	T.S.O. II
67-19	12-2-19	T.S.O. II
68-19	12-2-19	T.S.O. II
69-19	12-2-19	T.S.O. II
70-19	12-2-19	T.S.O. IV
71-19	12-2-19	T.S.O. II
01-20	1-6-20	T.S.O. X
02-20	1-6-20	T.S.O. X
03-20	1-6-20	T.S.O. X
04-20	1-21-20	T.S.O. II
05-20	1-21-20	T.S.O. II
06-20	1-21-20	T.S.O. II
07-20	1-21-20	T.S.O. II
08-20	1-21-20	T.S.O. II
09-20	1-21-20	T.S.O. II
10-20	1-21-20	T.S.O. II
11-20	1-21-20	T.S.O. II
12-20	1-21-20	T.S.O. II
13-20	1-21-20	33.10
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17-20	3-2-20	T.S.O. II
18-20	3-16-20	T.S.O. II
19-20	3-16-20	T.S.O. II
20-20	3-16-20	T.S.O. II
22-20	4-13-20	T.S.O. II
23-20	4-13-20	T.S.O. IV
24-20	4-13-20	T.S.O. IV
26-20	5-26-20	T.S.O. II
27-20	5-26-20	T.S.O. II
28-20	5-26-20	T.S.O. IV
29-20	5-26-20	T.S.O. I

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30-20	6-8-20	T.S.O. II
31-20	6-8-20	T.S.O. II
32-20	6-22-20	T.S.O. II
33-20	6-22-20	T.S.O. II
35-20	6-22-20	T.S.O. II
36-20	6-22-20	T.S.O. IV
38-20	7-27-20	T.S.O. II
39-20	7-27-20	T.S.O. II
43-20	7-27-20	T.S.O. IV
44-20	8-24-20	T.S.O. II
47-20	9-14-20	T.S.O. II
48-20	9-28-20	T.S.O. II
49-20	9-28-20	T.S.O. VII
50-20	9-28-20	T.S.O. II
62-20	10-12-20	T.S.O. II
63-20	10-12-20	T.S.O. II
64-20	11-9-20	T.S.O. II
65-20	11-9-20	T.S.O. II
69-20	11-16-20	T.S.O. II
72-20	12-7-20	T.S.O. II
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SUMMARY OF NEW MATTER
CONTAINED IN THE 2021 S-49 SUPPLEMENT
FOR THE CODIFIED ORDINANCES OF DUBLIN

New matter in the Codified Ordinances of Dublin, Ohio, as contained in the 2021 S-49 Supplement therefor, includes legislation regarding:

<u>Section</u>	<u>R.C. Section</u>	<u>New or amended matter regarding:</u>
71.09	4503.21	Display of license plates
138.01	2925.01	Definitions related to drug offenses