

ORDINANCE NO. 126

ZONING ORDINANCE OF OTTOVILLE, OHIO

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IT IS HEREBY ORDAINED BY
THE COUNCIL OF THE VILLAGE OF OTTOVILLE, OHIO

ARTICLE I

General

1. SHORT TITLE. This ordinance shall be known and may be cited as the Zoning Ordinance of Ottoville, Ohio.

2. EXPLANATION AND PURPOSE. It is an ordinance requiring permits for the erection of buildings and structures as well as permits for the uses of land and the buildings located thereon. It divides the village into districts, regulates the uses permitted in such districts, specifies minimum plot sizes, setbacks and side yards. It requires approved water supply and sewage disposal facilities and parking areas and provides for appeals and the imposing of penalties for violation of the ordinance.

Its purpose is to promote the public health, safety, morals, comfort and general welfare and to conserve the values of property and to lessen and avoid congestion in the public streets and highways.

3. SCOPE OF REGULATIONS. Except as provided by this ordinance and except after obtaining written permission from the enforcing officer, it shall hereafter be unlawful in Ottoville, Ohio:

- A. To erect any new building or structure or to repair, improve, relocate, enlarge or substantially alter any existing building or structure, or any change in use, in old, new or additional use made of any tract of land or existing building or structure which shall be for only those principal uses as permitted in the Zoning District where located, including those incidental or accessory uses which are customary and not detrimental to, or incompatible with, the Zoning Character of such district, including the following:
- B. To establish any use of a building, structure or land either by itself or in addition to another use.
- C. To expand, change or re-establish any non-conforming use.
- D. To erect a new building or structure or part thereof.
- E. To rebuild, structurally alter, add to or relocate any structure or building or part thereof.
- F. To reduce the open space or plot area required for a building, structure, cabins, trailers, tents or parking space or to include any part of such open space or plot area as that required for an adjoining building or structure.

G. To provide or connect onto water supply or sewage disposal facilities.

4. INCIDENTAL USES. Unless otherwise prohibited or restricted, a permitted use also allows uses, buildings and structures incidental thereto, if located on the same site or building plot. However, such incidental uses, buildings and structures shall not be established or erected prior to the establishment or construction of the principal use or building and shall be strictly compatible with the character of the principal use. A professional office or home occupation, as defined in Article II, may be conducted in connection with any residence.

5. OTHER RESTRICTIONS. This ordinance shall not nullify the more restrictive provisions of covenants, agreements, resolutions, or other ordinances now in force, but shall prevail notwithstanding such provisions which are less restrictive.

ARTICLE II

Definitions

For the purpose of this ordinance, certain terms and words are hereby defined as follows:

Words used in the present tense include the future.

Words used in the singular number include the plural number.

The word "shall" is mandatory and not directory.

ACCESSORY BUILDING: A subordinate building or portion of the main building, the use of which is incidental to that of the main building.

AGRICULTURAL LAND, including necessary buildings and structures, shall be agricultural whether being devoted to agricultural or not where so designated as AGRICULTURAL DISTRICT upon the ZONING MAP accepted and made a part of this ordinance upon the passage thereof.

ALLEY: A public thoroughfare which affords only a secondary means of access to abutting property.

AUTO WRECKING YARD: Any place where three or more automobiles not in running condition, or the parts thereof, are stored in the open and are not being restored to operation or any building or structure used principally for the wrecking or storage of such automobiles or parts thereof.

BUILDING: Any structure designed or intended for the support enclosure, shelter, or protection of persons, animals, or other property, when such structure is completely divided into parts by unpierced walls extending from the ground up, each part shall be deemed a separate building.

DISTRICT: A section or sections of the village for which the regulations governing the use of land or building are uniform.

DWELLING: A separate building designed for and occupied exclusively as a residence; but excluding house trailers or house trailers attached to a permanent foundation upon land, or anything originally built as a house trailer.

ERECTED: Set up, raised, built or moved into place.

FAMILY: One or more individuals using common cooking facilities and living and eating together on the same premises as a single housekeeping unit.

HOME OCCUPATION: An occupation for gain or support conducted only by members of one family within its place of residence, provided, the space used is incidental to the residential use and that no article is sold or offered for same except such as may be produced in the household by members of the immediate family.

LOT: A parcel of land occupied or suitable for occupancy by one main building or use with its accessory building, including such spaces as are or may be arranged to be used in connection with such building.

LOT LINES: The lines bounding a lot, as defined therein.

NON-CONFORMING USE: A building, structure or land used or existing which does not conform with the regulations of the district in which it is situated, or other regulations of this ordinance.

POULTRY FARM: Any tract of land on which poultry, or poultry products are raised or produced for sale.

PRIVATE GARAGE: An accessory building used solely for storing, not to exceed three motor driven vehicles.

PROFESSIONAL OFFICES: When in Residence District, a professional office shall be clearly incidental to the residential use of the premises, shall be conducted entirely within the residential building by the permanent residents thereof, and shall include only the office of doctors, or practitioners, ministers, architects, lawyers, authors, artists, musicians and other professional occupations customarily conducted with the residences.

STRUCTURAL ALTERATIONS: Any change in the supporting members of a building or structure, such as bearing walls, columns, beams or girders. "Substantially alter" shall mean any alteration amounting to Two Hundred Dollars or more.

STRUCTURES: Anything erected, the use of which requires more or less permanent location on the ground, or attached to something having a permanent location on the ground.

ARTICLE III

Applications and Permits

1. Before erecting, relocating, enlarging or substantially altering any building, structure, wall, solid fence, or excavating for any building foundation, sewer, water conduit, or other underground utility serving a particular use, a written permit shall be obtained from the enforcing officer in the village.
2. Applications for permits shall be filed in written form, in quadruplicate, on blanks furnished by Enforcing Officer and shall give such information as may be required by this ordinance for its proper enforcement.
3. All applications shall be accompanied by dimensioned drawings of the buildings of the building and a plot plan showing the location of buildings and structures, lot areas to be used, water supply, sewage disposal facilities and parking areas.

4. Plans and estimated costs and specifications for all buildings used by the public, such as multiple dwellings, educational, commercial and industrial buildings and places of amusement, shall comply with the provisions of the State Building Code and shall bear the seal of approval of the Division of Factory and Building Inspection. In no event shall a permit be issued for the erection of a new structure or the alteration of an existing structure where the type and cost of the proposed structure shall lessen or depreciate the value of the surrounding properties in the district where said new improvement or alteration is to be located.

5. Any application for a use whose wastes may pollute any water course, lake or underground water supply shall include plans for the construction of facilities for the safe treatment or disposal of such wastes or sewage which plans must be approved by the State Department of Public Health.

6. Advertising signs, posters, and billboards shall require permits.

7. Concrete, stone, masonry, wood and hedge fences over three and one-half feet in height or which cannot be viewed through shall require permits.

8. Each permit issued for a main building shall also cover any accessory structures or buildings constructed at the same time on the same premises.

9. Any work or change in use authorized by a permit but not at least 25% completed within six months shall require a new permit.

10. A permit shall be revoked by the Enforcing Officer when he shall find, from personal inspection or from competent evidence, that the rules or regulations under which it has been issued are being violated.

11. All applications for permits, including supporting documents and a copy of all permits issued, shall be systematically filed and kept by the Enforcing Officer for ready reference.

12. In order to conserve and to prevent diminishing of property values locally and throughout the village, it shall be unlawful in a residential district to leave the outside walls of any building in an unfinished condition such as ordinary building paper or tar paper, nailed or stripped upon the outside, for a longer time than a year after date of issuance of permit. In such event the Enforcing Officer shall issue an order for the completion within a specified time. Failure to comply with such order shall result in the penalty hereinafter provided.

13. To aid in defraying expenses a fee of \$1.00 for each \$1,000.00 or fraction thereof of the estimated cost shall be charged and collected by the Enforcing Officer who shall account for the same to the Village of Ottoville, provided, however, that no fee shall be less than \$5.00 nor more than \$25.00.

14. Any building, business, industry, activity or uses of land or buildings in any of the following districts as defined in Article IV of this ordinance, lawfully in existence at the time of the adoption of this or any former ordinance now in force, which is not in conformity with the classification in such district, shall be known and is hereby designated as non-conforming. Immediately upon passage of this ordinance the Enforcing Officer shall compile a complete record of all non-conforming uses in all districts. Such records shall be kept up to date as changes occur and such changes and records shall be indicated on the zoning maps, also the date of such change shall be indicated thereon.

this ordinance for adjoining lots.

8. Electric Power Sub-Stations.
9. Club, lodge, social, and community buildings.
10. Publicly owned or leased parks, playgrounds, forest preserves, golf courses, and athletic fields.
11. General educational schools and colleges.
12. Churches, convents, and monasteries.
13. Libraries, museums, and community or municipal buildings.
14. Truck gardening.
15. Telephone repeater stations.
16. Private clubs and fraternal lodge halls (excluding halls where services customarily carried on as a business are rendered or dances are conducted).
17. Nurseries and greenhouses.
18. Hospitals, clinics, sanitariums, and institutions of a philanthropic or charitable nature.
19. Mortuaries.
20. Signs pertaining to the lease, sale, or use of a lot or building may be placed thereon, provided the total area of all such signs does not exceed eight square feet; and provided further that on a lot occupied by a dwelling, the total area of signs placed on the lot or dwelling and pertaining to the use thereof, or bearing the name or occupation of an occupant shall not exceed two square feet for each family house. A sign or bulletin board not exceeding twelve square feet in area may be erected upon the premises of a church or other institution for the purpose of displaying the name and activities or services therein provided.

ARTICLE VI

Agricultural Districts

The uses permitted in the Agricultural Districts are as follows:

1. Any use permitted in the Residence Districts.
2. General farming, agriculture, horticulture, and truck farming.
3. Cemeteries, including any crematory therein.
4. Sign boards and billboards.
5. Tourist, tent, auto, cabin, and trailer camps or courts.

ARTICLE VII

Commercial Districts

The uses permitted in the Commercial Districts are as follows:

1. Any use permitted in the Residence Districts.
2. Ambulance service.
3. Automobile sales and service stations.
4. Animal hospitals.
5. Bakeries.
6. Banks
7. Barber shops or beauty parlors.
8. Bus stations
9. Cemetery monument works.
10. Dry cleaning establishments not using explosive materials.
11. Frozen food processing and storage.
12. Hotels and motels.
13. Laundries and dyeing establishments not employing more than ten persons.
14. Music, dancing, trade, or technical schools.
15. Newspaper and printing establishments.
16. Office buildings.
17. Poultry sales.
18. Public garages.
19. Restaurants and other eating and drinking establishments.
20. Recreation rooms such as bowling alleys, pool rooms, skating rinks, etc.
21. Service repair and maintenance for clothing, shoes, and household appliances.
22. Store buildings, retail and wholesale, for storing, displaying, and merchandising consumer goods of all kinds, unless deemed undesirable by the Enforcing Officer.
23. Telephone exchanges.
24. Theaters and places of public entertainment.

ARTICLE VIII

Industrial Districts

In an Industrial District no building or premises shall be erected or

used except for one or more of the following specified trades, industries, or uses:

1. Any use permitted under Articles V, VI, or VII.
2. Aluminum, brass, copper, iron, steel, or plastic factory or works.
3. Blacksmith or horseshoeing shop.
4. Bleaching, dry cleaning, or dyeing at wholesale.
5. Bottling works.
6. Brewing or distilling of liquor or spirits.
7. Carpet or bag cleaning.
8. Cement products manufacture.
9. Clay and glass products.
10. Coal, coke, or wood yards.
11. Contractor's or builder's supply yard.
12. Flour or grain mill or elevators.
13. Forge or foundry works.
14. Gasoline and fuel oil storage in wholesale.
15. Ice manufacture or storage at wholesale.
16. Incinerators or reduction works if not noxious or offensive by reason of emission of odor, dust, smoke, or gas.
17. Lumber yard.
18. Sewage treatment works.
19. Food processing where the same does not emit obnoxious odors or dust.
20. Acetylene gas or acid manufacture.
21. Ammonia, bleaching powder, or chlorine manufacture.
22. Asphalt manufacturing or refining.
23. Blast furnace.
24. Boiler works, forge works, iron or steel foundry.
25. Celluloid manufacture, treatment or storage.
26. Cresote manufacture or treatment.
27. Disinfectant or insecticide manufacture.

28. Dyestuff manufacture and use at wholesale.
29. Fat rendering at wholesale.
30. Gas manufacture or storage.
31. Glue, gelatin, or size manufacture.
32. Lime, cement, or plaster manufacture.
33. Match manufacture.
34. Oilcloth or linoleum manufacture.
35. Paint, oil, varnish, or turpentine manufacture.
36. Refining or petroleum or other inflammable liquids.
37. Rolling mills.
38. Rubber manufacture from crude materials.
39. Soda ash, caustic ash, soap, and washing compound manufacture.
40. Slaughtering animals, stockyards.
41. Tanning or storing of leather, raw hides, or skins.
42. Tar distillation and manufacture of tar products.
43. Any other trade, industry, or use that is injurious, noxious, or offensive by reason of emission of odor, dust, fumes, smoke, noise, or vibration.

ARTICLE IX

Tourist Camps, Etc.

Tourist and auto camps, cabins, trailers, tents, or other shelters shall set back from the road or street line the required distance in compliance with the Village Building Code. Each unit shall be allotted a space not less than 20 feet by 60 feet. Each camp shall have toilet facilities for each sex. Each camp shall provide one toilet for every fifteen persons of each sex. The water supply and sewage disposal facilities shall be constructed according to approved standards of the State Department of Public Health and County or Village Health Board, and no permit shall be issued where the ground does not slope so that water which may fall thereon will promptly flow off it and not stand thereon, or where the ground is located as it will probably be flooded in time of high water.

ARTICLE X

Non-Conforming Uses

1. Any use of building, structure, or land lawfully existing at the adoption date of this ordinance, or of a former ordinance now in force, or of a later amendment thereto, which does not conform to the provisions of said ordinance or amendment, shall be known as non-conforming. Such non-conforming use may be extended throughout the building or structure, or such

a use may be changed to one of the same or higher classifications, provided no structural alterations are made therein. A non-conforming use of land shall not be extended.

2. Whenever a non-conforming use has been changed to a use of higher classification or to a conforming use, such a use cannot thereafter be changed to one of a lower classification. If a non-conforming use is discontinued for a period of eight months, any future use thereof shall be in conformity with the provisions of this ordinance.

3. Any building or structure devoted to a non-conforming use which may be destroyed or damaged by fire or otherwise to the extent of 90% or more of its value shall not be repaired or rebuilt nor shall another building or structure be erected on the premises except in conformity with the provisions of this ordinance.

4. A complete record of the location, nature, and extent of all non-conforming uses shall be made and kept by the Enforcing Officer. When such non-conforming use ceases to exist it shall automatically become conforming use and the Enforcing Officer shall so notify the Appeal Board, which shall by resolution enter same in its records as such.

ARTICLE XI

Lot Coverage and Setback Lines

1. In Residence Districts the total area of building shall not exceed 50% of the lot area. No building shall be nearer than five feet from an adjoining lot line. Buildings shall set back from the street the average distance of other buildings on the street, but in no case less than fifteen feet. On corner lots no building shall be nearer than fifteen feet from side street.

2. In Commercial Districts, buildings shall set back from the street to conform to the present building line as established by the commercial buildings now erected thereon, but in no event shall a building be nearer than three feet to a street.

3. Industrial Districts coverage shall conform to the State Building Code, but allowance shall be made for parking of employees' automobiles off the street or highway.

ARTICLE XII

Water Supply and Sewage Disposal

Every residence, business, trade, or industry hereafter established and requiring water supply and sewage disposal facilities shall provide such facilities conforming to approved standards of the State Board of Health and Village Ordinances.

ARTICLE XIII

New Subdivisions

Whenever any owner or owners of land classified by the Zoning Ordinance as agricultural shall have platted the same into lots and blocks, or shall thereafter re-plat the same, any part of which shall be for the purpose of residences or to be sold or used for that purpose, said owner or owners shall

a use may be changed to one of the same or higher classifications, provided no structural alterations are made therein. A non-conforming use of land shall not be extended.

2. Whenever a non-conforming use has been changed to a use of higher classification or to a conforming use, such a use cannot thereafter be changed to one of a lower classification. If a non-conforming use is discontinued for a period of eight months, any future use thereof shall be in conformity with the provisions of this ordinance.

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be filed in the office of the Village Clerk and shall be a public record. In the performance of its duties the Board may incur such expenditures as shall be authorized by the Village Council. The Board shall adopt its own rules of procedure not in conflict with the laws of the State of Ohio.

Jurisdiction

1. The Board shall hear and decide appeals from and review any order, requirement, decision, or determination made by the administrative official charged with the enforcement of this ordinance. It shall also hear and decide all matters referred to it or upon which it is required to pass under this ordinance.

2. The concurring vote of four members of the Board shall be necessary to reverse any order, requirement, decision, or determination of any such administrative official or to decide in favor of the applicant any matter upon which it is required to pass under this ordinance.

3. Where any application for a variation of any of the regulations of this ordinance is made to the Board in which it is alleged that practical difficulties or particular hardships, not intended or not common to other owners of property in the vicinity, will be imposed in carrying out the strict letter of any such regulations, the Board may vary the application of such regulations in harmony with general purposes and intent of this ordinance.

4. No variation in the application of the provisions of this ordinance shall be made concerning the use of land or the building line, unless, after a public hearing as provided for in this section, the Board shall find that such variations will not (1) impair an adequate supply of light and air to adjacent property, (2) increase the hazard from fire and other dangers to said property, (3) diminish the value of land and buildings in the locality or throughout the village, (4) increase the congestion of traffic hazard in the public streets and highways, and (5) otherwise impair the public health, safety, comfort, morals, and general welfare of the inhabitants of said village.

5. The Board shall also have the power (1) to hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by the Enforcing Officer, (2) to permit a temporary building for business or industry in the Residence Districts which is incidental to and necessary for the residential development; such permit to be issued for a period of not more than one year, and (3) to exercise such other powers as are or may be vested in the Board.

Appeal and Review

1. Any appeal may be taken by any person aggrieved or by an officer, department, or board of bureau of the village. Such appeal shall be taken, within such time as shall be prescribed by the Board by general rule, by filing with the officer from whom the appeal is taken and with the Board a notice of appeal specifying the grounds thereof. The officer from whom the appeal is taken shall forthwith transmit to the Board all the papers constituting the record upon which the action appealed from was taken.

2. Any appeal stays all proceedings in furtherance of the action appealed from unless the officer from whom the appeal is taken certifies to the Board after the notice of appeal has been filed with him by reason of fact stated in the certificate that a stay would, in his opinion, cause imminent peril of life or property, in which case proceedings shall not be stayed

otherwise than by a restraining order from a court of record on application, on notice to the officer from whom the appeal is taken, and on due cause shown.

3. The Board shall fix a reasonable time for the hearing of the appeal, give notice thereof to the parties, and decide the same within a reasonable time. Upon the hearing any party may appear in person, or by agent, or by attorney. The Board may reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination as in its opinion ought to be made in the premises, and to that end shall have all the power of the officer from whom the appeal is taken.

4. The Enforcing Officer shall give at least fifteen days notice of the time and place of such hearing published in a newspaper of general circulation in the village, describing the particular location and proposed purposes and uses to which such re-zoning is to be used. Such notice shall also be given to at least one of the adjoining property owners to the north, to the east, to the south, and to the west of such property to be re-zoned. If no such owner can be found, the published notice shall be sufficient.

5. In case of written protest any proposed re-zoning, signed by the owners of twenty percent of the frontage proposed to be altered, or by owners of twenty percent of the frontage immediately adjoining, or across an alley therefrom, or by the owners of twenty percent of the frontage directly opposite the frontage proposed to be altered, such re-zoning shall not be passed except by a vote of all five members of the Appeal Board.

6. To partially defray the expenses of advertising, investigating, and considering an appeal for the variation of re-zoning, a fee of Ten Dollars (\$10.00) shall be charged the appellant by the Enforcing Officer, who shall account for the same to the Village of Ottoville.

7. Any person or persons jointly or severally aggrieved by a decision of the Board may present to a court of record a petition duly verified, setting forth that such decision is illegal, in whole or in part, and specifying the ground of illegality. Such petition shall be presented to the Court within thirty days after the filing of the decision in the office of the Board.

8. Upon the presentation of such petition the Court may allow a writ of certiorari directed to the Board to review such decision of the Board and shall prescribe therein the time within which a return thereto shall be made and served upon the relator's attorney, which shall not be less than ten days and may be extended by the Court. The allowance of the writ shall not stay proceedings upon the decision appealed from, but the Court may, on application or notice to the Board and on due cause shown, grant a restraining order.

9. The Board shall not be required to return the original papers acted upon by it, but it shall be sufficient to return certified or sworn copies thereof or such portions thereof as may be called for by such writ. The return shall concisely set forth such other facts as may be pertinent and material to show the grounds of the decision appealed from and shall be verified.

10. If, upon the hearing, it shall appear to the Court that testimony is necessary for the proper disposition of the matter, it may take evidence or appoint a referee to take such evidence as to direct and report the same to the Court with his findings of facts and conclusions of law, which shall constitute a part of the proceedings upon which the determination of the Court shall be made. The Court may reverse or affirm, wholly or partly, or may modify the decision brought upon for review.

otherwise than by a restraining order from a court of record on application, on notice to the officer from whom the appeal is taken, and on due cause shown.

3. The Board shall fix a reasonable time for the hearing of the appeal, give notice thereof to the parties, and decide the same within a reasonable time. Upon the hearing any party may appear in person, or by agent, or by attorney. The Board may reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination as in its opinion ought to be made in the premises, and to that end shall have all the power of the officer from whom the appeal is taken.

4. The Enforcing Officer shall give at least fifteen days notice of the time and place of such hearing published in a newspaper of general circulation in the village, describing the particular location and proposed purposes and uses to which such re-zoning is to be used. Such notice shall also be given to at least one of the adjoining property owners to the north, to the east, to the south, and to the west of such property to be re-zoned. If no such owner can be found, the published notice shall be sufficient.

5. In case of written protest any proposed re-zoning, signed by the owners of twenty percent of the frontage proposed to be altered, or by owners of twenty percent of the frontage immediately adjoining, or across an alley therefrom, or by the owners of twenty percent of the frontage directly opposite the frontage proposed to be altered, such re-zoning shall not be passed except by a vote of all five members of the Appeal Board.

6. To partially defray the expenses of advertising, investigating, and considering an appeal for the variation of re-zoning, a fee of Ten Dollars (\$10.00) shall be charged the appellant by the Enforcing Officer, who shall account for the same to the Village of Ottoville.

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8. Upon the presentation of such petition the Court may allow a writ of certiorari directed to the Board to review such decision of the Board and shall prescribe therein the time within which a return thereto shall be made and served upon the relator's attorney, which shall not be less than ten days and may be extended by the Court. The allowance of the writ shall not stay proceedings upon the decision appealed from, but the Court may, on application or notice to the Board and on due cause shown, grant a restraining order.

9. The Board shall not be required to return the original papers acted upon by it, but it shall be sufficient to return certified or sworn copies thereof or such portions thereof as may be called for by such writ. The return shall concisely set forth such other facts as may be pertinent and material to show the grounds of the decision appealed from and shall be verified.

10. If, upon the hearing, it shall appear to the Court that testimony is necessary for the proper disposition of the matter, it may take evidence or appoint a referee to take such evidence as to direct and report the same to the Court with his findings of facts and conclusions of law, which shall constitute a part of the proceedings upon which the determination of the Court shall be made. The Court may reverse or affirm, wholly or partly, or may modify the decision brought upon for review.

11. Costs shall not be allowed against the Board unless it shall appear to the Court that it acted with gross negligence, or in bad faith, or with malice in making the decision appealed from; provided, however, that in all other cases the Court shall assess costs against the Village of Ottoville or the Appellant.

ARTICLE XVI

Interpretation, Purposes, and Conflict

In interpreting and applying the provisions of this ordinance, said provisions shall be held to be the minimum requirements for the promotion of the public health, safety, morals, comfort, and general welfare. It is not intended by this ordinance to interfere with, or abrogate, or annul any ordinance, resolution, rule, regulation, or permit previously adopted or issued, and not in conflict with any of the provisions of this ordinance relative to the use of building, structures, or land; nor is it intended by this ordinance to interfere with, abrogate, or annul any easements, covenants, or other agreements between parties; provided, however, that whenever this ordinance imposes a greater restriction upon the use of buildings, structures, or land, or requires greater building lines, then the provisions of this ordinance shall control.

ARTICLE XVII

Enforcement and Penalties

1. This ordinance shall be administered and enforced by the Mayor of Ottoville, who is hereby designated the Enforcing Officer of this ordinance.

2. Any person, firm, company, or corporation who violates, disobeys, omits, neglects, or refuses to comply with, or resists the enforcement of any of the provisions of this ordinance, or misrepresents any statement of fact to obtain a permit shall be subject to a fine of not more than Two Hundred Dollars (\$200.00) for each offense or to imprisonment in the Village Jail for a period of not more than six months or both at the discretion of the Court. Each twenty-four (24) hours that any violation of this continues to exist shall constitute and be a separate offense under the terms hereof.

ARTICLE XVIII

Amendments

1. No amendment of this ordinance shall be made without a hearing or hearings before the Board. At least fifteen days' notice of the time and place of such hearing shall be published in an official paper or a paper of general circulation in said village. Within thirty days after the hearing the Board shall make a report to the Village Council. In the event such report does not recommend passage of the proposed amendment such amendment shall not be passed except by the favorable vote of three-fourths majority of all the members of the Village Council.

2. In case of written protest against any proposed amendment, signed and acknowledged by the owners of twenty percent of the frontage proposed to be altered, or by owners of twenty percent of the frontage immediately adjoining or across an alley therefrom, or by the owners of twenty percent of the frontage directly opposite the frontage proposed to be altered, such amendment

shall not be passed except by the favorable vote of all the members of the Village Council.

ARTICLE XIX

Validity

It is the intention to pass this ordinance, section by section, and if a Court of competent jurisdiction should at any time, or from time to time, declare invalid any section or sections or any part of this ordinance, such decision shall not affect the remaining sections or parts hereof; it being the intention of the Village Council that said remaining sections or parts hereof shall thereafter constitute the Zoning Ordinance.

ARTICLE XX

Effective Date

This ordinance shall be in full force and effect upon its due passage and publication according to law.

Passed: August 7, 1972

Howland
Mayor

Attest:

Richard J. Wurst
Clerk

CERTIFICATION

We, the undersigned members of the Ottoville Zoning Board, hereby certify the foregoing Zoning Ordinance and attached Map to the Council of the Village of Ottoville, Ohio.

Paul J. Hoehn Al O'Neil
Rayl Hammacher Paul E. Ruen
Robert P. Bendele