

ORDINANCE NO. 2010-04

AN ORDINANCE TO ENACT NEW SECTIONS 806.01, 806.02, 806.03, AND 806.99 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF COMMERCIAL POINT.

WHEREAS, the Village Council has determined that it is necessary to update the Codified Ordinances of the Village in order to better protect the general health, safety, and welfare of the citizens of the Village.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF COMMERCIAL POINT, OHIO, A MAJORITY OF THE MEMBERS ELECTED THERETO CONCURRING, THAT:

Section I: New Sections 806.01, 806.02, 806.03 and 806.99 of the Codified Ordinances of Commercial Point are hereby enacted as follows:

806.01 LICENSE REQUIRED.

No person, firm or corporation shall sell, or offer for sale, two or more articles of tangible personal property in a residence, yard, garage or outbuilding of such residence in any Residential District in the municipality without first having obtained a license from the Zoning Inspector.

806.02 APPLICATION.

(A) The application for a license shall contain the name of the applicant, the applicant's address, the address where the sale is to be conducted and the dates on which the sale will be conducted.

(B) Applications for licenses shall be submitted to the Zoning Inspector. Only three (3) such licenses shall be issued for a single address in any 12-month period, and shall be valid for not more than four (4) consecutive days. The license must be displayed on the premises during the sale.

(C) The Zoning Inspector may refuse a license for any sale which would be detrimental to the residential nature of the neighborhood, it being the intention of this section, to restrict such sales to casual sales of reasonably limited amounts of tangible personal property.

(D) Application for such sales shall be made at least five (5) business days in advance of the sale, and no sales shall commence before the hour of 8:00 a.m. or extend later than 8:00 p.m.

806.03 SIGNS RESTRICTED.

Signs announcing the sale shall be limited to one (1) on-premises sign, and four (4) off-premises signs. The location of the four (4) off-premises signs shall be at the discretion of the person holding the sale. Signs may be put up three (3) days before the first day of the sale and must be taken down immediately after the final day of the sale. Such signs shall be no larger than two square feet in area, and shall not be illuminated or animated.

809.99 PENALTY.

Whoever violates any provision of this chapter shall be guilty of a minor misdemeanor. Each day on which a violation occurs or continues shall be deemed a separate offense.

Section II: This Ordinance shall become effective upon the earliest date allowed by the laws of the State of Ohio.

Vote on Passage of Ordinance:

Motion by: Don Benedik

2nd: Margie Weaver

Roll Call:

No Jim Kuzelka

No Janet Hutchins

Yes Margie Weaver

Yes Vidal Cruz

No Kimberly Gooden-Kinney

Yes Don Benedik

Adopted this 6th day of December, 2010.

Allan D. Goldhardt, Mayor

Wendy Hastings, Fiscal Officer

Approved as to Form:

D. Michael Crites, Law Director