

# RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 2010-02

Passed April 20, 2010

## **AN ORDINANCE ADOPTING CERTAIN REGULATIONS FOR CONSTRUCTION AND MAINTENANCE OF PARKING LOTS AND DRIVEWAYS IN THE CITY OF BROOKVILLE, OHIO.**

**WHEREAS**, the Council of the City of Brookville desires to adopt certain zoning regulations for construction and maintenance of parking lots and driveways in the City of Brookville, Ohio.

**WHEREAS**, after a public hearing on this Ordinance as required by Section 4.11 of the Charter of the City of Brookville, and upon recommendation of the Planning Commission, the Council of the City of Brookville hereby adopts the following zoning regulations regarding the construction and maintenance of parking lots and driveways in the City of Brookville, Ohio.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BROOKVILLE, OHIO, THAT:**

**SECTION I:** Section 1159.03(a) (2) of the Code of Ordinances is hereby amended as follows:

Construction Requirements: All parking facilities in the City of Brookville including parking lots and driveways shall be constructed with pavement, asphalt or pavers. Gravel or other compacted material shall not be permitted for construction of parking lots and driveways, but gravel or other compacted material shall be permitted as a hard surface for parking of a recreational vehicle for storage as specified in Section 1159.05(d) of the Code of Ordinances. The parking facility shall be graded and drained so as to dispose of surface water which might accumulate within or upon such area, and shall be completely constructed prior to a Certificate of Occupancy being issued. No surface water from such parking area shall be permitted to drain into adjoining private property. Each parking facility must meet any other engineering standards deemed necessary by the Zoning Enforcement Officer.

**SECTION II:** Section 1353.05 STRUCTURE DEFECTS provides that any building, structure or paved area exhibiting any of the following conditions or defects to a significant degree shall be deemed a nuisance and shall be altered or repaired so as to abate the nuisance.

Section 1353.05(L) is hereby amended as follows:

Any sidewalk, driveway or parking lot which is debilitated, broken, damaged or raised to a degree as to be injurious to persons using the sidewalk, driveway or parking lot.

### **SECTION III:**

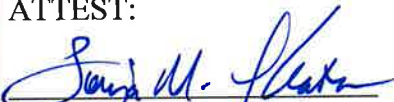
This Ordinance shall repeal or rescind any Ordinances or Resolutions in conflict herewith.

### **SECTION IV:**

This Ordinance shall take effect thirty (30) days after passage by Council pursuant to the Charter of the City of Brookville.

PASSED this 20th day of April, 2010.

ATTEST:

  
Sonja M. Keaton, Clerk

  
David E. Seagraves, Mayor

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## CERTIFICATE

The undersigned, Clerk of the City of Brookville, Ohio, does hereby certify that the foregoing is a true and correct copy of Ordinance 2010-02, passed by the Council of the City of Brookville, Ohio, on the 20th day of April, 2010.

  
Sonja M. Keaton, Clerk

## CERTIFICATE OF POSTING

The undersigned, Clerk of the City of Brookville, Ohio, hereby certifies that the foregoing Ordinance 2010-02 was posted at the City Building, US Post Office and the Brookville Branch of the Montgomery County Public Library, Brookville, Ohio, on the 22nd day of April, 2010 to the 21st day of May, 2010, both days inclusive.

  
Sonja M. Keaton, Clerk