

*Council approved the first reading, Planning Commission recommended that Ordinance be amended. Ordinance No. 1999-07 was amended to add Section(b), Council approved the second and third reading and it was adopted 1/4/00. This copy is the first version.*

ORDINANCE NO. 1999-07

AN ORDINANCE AMENDING CHAPTER 1139 OF THE CODE OF ORDINANCES OF THE MUNICIPALITY OF BROOKVILLE.

WHEREAS, CHAPTER 1139, entitled HS Highway Service District, is a zoning district established by the Code of Ordinances of the Municipality of Brookville; and

WHEREAS, the Council of the Municipality of Brookville desires to amend the permitted uses with the Highway Service District to eliminate Truck Service Centers and repair facilities as a permitted use.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE MUNICIPALITY OF BROOKVILLE, OHIO:

SECTION 1:

Section 1139.02 USES is hereby amended as follows:

(a) Permitted Uses

- (1) Auto and truck rental; new and used car, truck, bicycle or motorcycle sales and service; boat and marine equipment sales, rental and service; trailer sales and rental.
- (2) Restaurants and lounges (sit down, carry out, fast food, and drive-in).\*
- (3) Motels.
- (4) Automobile service stations, service centers, repair garages and wash facilities.\*
- (5) Body Shops.
- (6) Farm equipment sales and service.
- (7) Lumber yards.
- (8) Tool and equipment rental facilities.
- (9) Store and lock enclosed storage facilities.
- (10) Theaters (enclosed and drive-in).\*
- (11) Veterinarian offices, kennels and animal hospitals.
- (12) Medical and dental offices, clinics, health centers and hospitals.
- (13) Par 3 golf courses, miniature golf, driving ranges.
- (14) Health spas.
- (15) Greenhouses.
- (16) Nursery and plant materials sales.
- (17) Accessory buildings incidental to the principal use.

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Regulations governing accessory facilities and uses are specified in Chapter 1157.

SECTION 2:

All other sections of Chapter 1139 are not amended by this ordinance and shall remain in full force and effect as previously approved and enacted by this Council.

SECTION 3:

This Ordinance shall revoke and rescind any Ordinance, Resolution, or parts of Ordinances or Resolutions, in conflict herewith.

SECTION 4:

This Ordinance shall be in full force and effect upon passage pursuant to the Charter of the Municipality of Brookville.

Passed this \_\_\_\_ day of \_\_\_\_\_, 1999.

ATTEST:

\_\_\_\_\_  
SONJA M. KEATON, ACTING CLERK

\_\_\_\_\_  
THOMAS L. DAFLER, MAYOR

CERTIFICATE

The undersigned, Clerk of the Municipality of Brookville, Ohio, does hereby certify that the foregoing is a true and correct copy of Ordinance No. 1999-07, passed by the Council of the Municipality of Brookville, Ohio on the \_\_\_\_ day of \_\_\_\_\_, 1999.

\_\_\_\_\_  
Sonja M. Keaton, Acting Clerk

CERTIFICATE OF POSTING

The undersigned, Clerk of the Municipality of Brookville, Ohio, hereby certifies that the foregoing Ordinance No. 1999-07 was posted at the Municipal Building, US Post Office and the Brookville Branch of the Montgomery County Public Library, Brookville, Ohio, on the \_\_\_\_ day of \_\_\_\_\_, 1999 to the \_\_\_\_ day of \_\_\_\_\_, 1999, both days inclusive.

Sonja M. Keaton, Acting Clerk

ORDINANCE 1999-07

AN ORDINANCE AMENDING CHAPTER 1139 OF THE CODE OF ORDINANCES OF THE MUNICIPALITY OF BROOKVILLE.

WHEREAS, CHAPTER 1139, entitled HS Highway Service District, is a zoning district established by the Code of Ordinances of the Municipality of Brookville; and

WHEREAS, the Council of the Municipality of Brookville desires to amend the permitted uses within the Highway Service District to remove Truck service centers and repair facilities from the permitted uses in the district and to designate Truck service centers and repair facilities as a special use in the district.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE MUNICIPALITY OF BROOKVILLE, OHIO:

SECTION 1:

Section 1139.02 USES is hereby amended as follows:

(a) Permitted Uses

- (1) Auto and truck rental; new and used car, truck, bicycle or motorcycle sales and service; boat and marine equipment sales, rental and service; trailer sales and rentals.
- (2) Restaurants and lounges (sit down, carry out, fast food, and drive-in).\*
- (3) Motels.
- (4) Automobile service stations, service centers, repair garages and wash facilities.\*
- (5) Body Shops.
- (6) Farm equipment sales and service.
- (7) Lumber yards.
- (8) Tool and equipment rental facilities.
- (9) Store and lock enclosed storage facilities.
- (10) Theaters (enclosed and drive-in).\*
- (11) Veterinarian offices, kennels and animal hospitals.
- (12) Medical and dental offices, clinics, health centers and hospitals.
- (13) Par 3 golf courses, miniature golf, driving ranges.
- (14) Health Spas.
- (15) Greenhouses.

- (16) Nursery and plant materials sales. 26  
(17) Accessory buildings incidental to the principal use. 26

Regulations governing accessory facilities and uses are specified in Chapter 1157.

(b) Special Uses. The following special uses are subject to review in accordance with Chapter 1163.

- (1) Truck service centers and repair facilities.

SECTION 2:

All other sections of Chapter 1139 are not amended by this ordinance and shall remain in full force and effect as previously approved and enacted by this Council.

SECTION 3:

This Ordinance shall revoke and rescind any Ordinance, Resolution, or parts of Ordinances or Resolutions, in conflict herewith.

SECTION 4:

This Ordinance shall be in full force and effect upon passage pursuant to the Charter of the Municipality of Brookville.

Passed this 4th day of January, 2000.

ATTEST:

  
SONJA M. KEATON, ACTING CLERK

  
THOMAS L. DAFLER, MAYOR

CERTIFICATE

The undersigned, Clerk of the Municipality of Brookville, Ohio, does hereby certify that the foregoing is a true and correct copy of Ordinance No. 1999-07, passed by the Council of the Municipality of Brookville, Ohio on the 4th day of January, 2000.

  
SONJA M. KEATON, ACTING CLERK

CERTIFICATE OF POSTING

The undersigned, Clerk of the Municipality of Brookville, Ohio, hereby certifies that the foregoing Ordinance No. 1999-07 was posted at the Municipal Building, US Post Office and the Brookville Branch of the Montgomery County Public Library, Brookville, Ohio, on the 6th day of January, 2000 to the 6th day of February, 2000, both days inclusive.

  
SONJA M. KEATON, ACTING CLERK