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ORDINANCE NO. 2021-003

**AN ORDINANCE OF THE VILLAGE OF BAILEY LAKES,  
ASHLAND COUNTY, OHIO, APPROVING THE  
RECOMMENDATION OF PLANNING COMMISSION FOR  
AMENDING THE BAILEY LAKES ZONING  
REGULATIONS (2003) AND DECLARING AN  
EMERGENCY.**

WHEREAS, the Council of the Village of Bailey Lakes has by Resolution No. 2021-048 passed Oct 11<sup>th</sup>, 2021 sent a proposed Amendment to Article V of the Village of Bailey Lakes Zoning Regulations (2003) to the Village Planning Commission; and

WHEREAS, pursuant to Chapter 800 et seq. of the Codified Zoning Ordinances of the Village of Bailey Lakes, the Planning Commission has reviewed said request and recommended that Council proceed with said Amendment; and

WHEREAS, pursuant to Chapter 800 et seq. of the Codified Zoning Ordinances of the Village of Bailey Lakes, a public hearing has been held not more than 40 days from the date of receipt by Council of the recommendation of the Zoning Commission with proper notice of said hearing; and

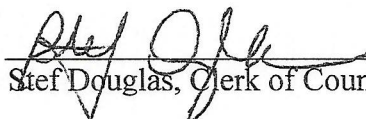
WHEREAS, Council now desires to approve said Amendment and affirm the decision of the Village of Bailey Lakes Planning Commission.


NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Bailey Lakes, County of Ashland, State of Ohio, 4 members thereto concurring:

**Section 1.** Article V of the Codified Zoning Ordinances of the Village of Bailey Lakes (2003) shall be modified and amended by the Council of the Village of Bailey Lakes, as set forth in the attached "Amendment to Article V of the Village of Bailey Lakes Zoning Regulations (2003)" as approved by the Village of Bailey Lakes Planning Commission after public hearing, is hereby approved by the Council of the Village of Bailey Lakes, Ohio.

**Section 2.** Council declares this to be an emergency measure immediately necessary for the public peace, health, safety and welfare of the inhabitants of the Village of Bailey Lakes, and this Ordinance shall take effect and be in force immediately upon its passage and approval by the Mayor.

Passed: October 11<sup>th</sup>, 2021

Attest:   
Stef Douglas, Clerk of Council

Approved:   
John R. Benshoff, Mayor

**Amendment to Article V of the Village of  
Bailey Lakes Zoning Regulations (2003)**

Article V of the Village of Bailey Lakes, Ohio Zoning Regulations as adopted in April 2003, shall be amended and Section 518 added thereto as follows:

518 Deposit, Accumulation, and Storage of Garbage, Junk, Refuse, and Other Matter.

(1) For purposes of this section:

(a) "Junk" includes old or scrap copper, brass, rope, rags, batteries, paper, rubber, lumber pipe, used building materials, roofing; old or scrap iron steel or other ferrous or nonferrous materials which are not held for sale for remelting purposes by an establishment having facilities for processing such materials; and inoperable and unlicensed, dismantled, partly dismantled or wrecked vehicles or motor vehicles, or parts thereof.

(b) "Garbage" includes all putrescible wastes except wastes of the human body and other water-carried wastes; all vegetable and animal wastes resulting from the handling, preparation, cooking or consumption of foods; any containers that have contained food or liquids for consumption by humans or other beings.

(c) "Refuse" includes ashes, crockery, bottles, cans, paper and other wood pulp products, boxes, rags, grass clippings and other cut vegetation; old or discarded clothing, bedding, mattresses, furniture, appliances; rubbish, dirt, nails, pieces of glass, oil; and all other similar nonputrescible wastes.

(2) No person shall place, throw, deposit, permit to be deposited or sweep into or upon any property which he owns, occupies or otherwise has charge of, or into or upon any street, sidewalk, alley, park, public ground or public building, or into or upon any property of another any junk, garbage, refuse, offal, animal carcass or any similar matter of an unsightly or unsanitary nature, except as is otherwise provided or permitted by law.

(3) Individuals desiring to bring about implementation of the above section shall present in person or in writing, any complaints hereof to the office of the Mayor or other Village officer as may be designated for such purpose, including the Zoning Inspector.

(4) Whoever violates any provision of this section is guilty of a minor misdemeanor upon the first offense and is guilty of a misdemeanor of the fourth degree upon any subsequent violations of this section. A separate offense shall be deemed committed each day during or on which a violation occurs or continues.

Above Amendment was approved by Council October 11, 2021.