

ORDINANCE 559-6-12 (Propose Modification Nov. 6, 2013)

**AN ORDINANCE AMENDING SECTION 1137.06 THE VILLAGE ZONING
CODE PROVISIONS REGARDING THE STORAGE OF TRAILERS AND
OTHER EQUIPMENT ON RESIDENTIAL LOTS**

Be it ordained by the Council of the Village of Roaming Shores, Ohio:

SECTION 1. SECTION 1137.06 is amended to read as follows:

1) As used in this ordinance, the following terms will have the meanings indicated herein:

- a) "All-terrain vehicle" (ATV) means any motor vehicle which is designed for or capable of travel over unimproved terrain with a seat designed to be straddled by the rider. This definition is specifically intended to include, but not be limited to, such common terms for all terrain vehicles such as "three-wheelers," "four wheelers," "dune buggies," or "ATVs." This definition is specifically intended to exclude passenger vehicles, motorcycles, or motorized bicycles.
- b) "Boat" means any floatable device exceeding five feet in length capable of propelling by motor or non-motor, including but not limited to sailboards, rowboats, paddle boats, powerboats, sailboats and canoes.
- c) "Camper" means a non self-propelled recreational vehicle that is mainly used for camping out while traveling and is designed to be placed upon and/or attached to a motor vehicle.
- d) "Personal watercraft" means a vessel, less than sixteen (16) feet in length, that is propelled by machinery and designed to be operated by an individual sitting, standing, or kneeling on the vessel rather than by an individual sitting or standing inside the vessel.
- e) "Recreational vehicle" (RV's) means a vehicle for non-commercial, recreational use that is often equipped with temporary living facilities, which either has its own mode of power or is mounted on or drawn by another vehicle; including a motor home, travel trailer, truck camper, fifth wheel trailer, and park trailer
- f) "Stored" means to put away, accumulate, reserve, place, or leave in the same location for preservation, future use, or disposal for a period more than fourteen (14) continuous days.
- g) "Tractor" means every motor vehicle having motive power designed or used for cutting grass.
- h) "Trailer" means every vehicle designed or used for carrying persons or property wholly on its own structure and for being drawn by a motor vehicle including any such vehicle when formed by or operated as a combination of a "semitrailer" and a vehicle of the dolly type, such as that commonly known as

a “trailer dolly,” a vehicle used to transport agricultural produce or agricultural production materials between a local place of storage or supply and the farm when drawn or towed on a street or highway at a speed greater than twenty-five miles per hour, and a vehicle designed and used exclusively to transport a boat between a place of storage and a marina, or in and around a marina, when drawn or towed on a street or highway for a distance of more than ten miles or at a speed of more than twenty-five miles per hour.

- i) “Utility trailer” means an unpowered vehicle, not defined as a recreational vehicle, that has an axle and a frame that can be used to haul any type of material or equipment and is no longer than sixteen (16) feet.

2) Boats, tractors, airplanes, motorcycles, golf carts, trucks exceeding one (1) ton payload, trailers, snowmobiles, ATV’s, campers, personal water craft and other lawn care equipment and supplies shall not be permitted to be stored on residential lots, unless they are stored in a fully enclosed structure except as follows:

- a) Recreation vehicles (RV'S), and utility trailers up to twenty-eight (28) feet in length or designed to haul a boat no longer than twenty eight (28) feet (no more than one (1) of each), may be stored outside an enclosed structure on a residential lot provided they are properly licensed and in good order, repair, and in operable condition; and provided that they are located within all setback requirements for structures in the zoning code. Any previously granted setback exceptions shall remain effective, provided that the resident continues to store his or her boat, RV, and/or recreational utility trailer in compliance with the law that existed at the time when he or she first stored the boat, RV, and/or recreational utility trailer.
- b) One boat exceeding twenty feet in length, but not to exceed twenty eight feet in length, may be stored outside an enclosed structure on a residential lot provided they are titled and licensed to the owner, spouse or child of the real estate upon which it is located.
- c) Up to one additional boat not less than ten feet but less than twenty feet in length, may be stored outside an enclosed structure on a residential lot provided they are titled and licensed to the owner, spouse or child of the real estate upon which it is located.
- d) Up to four additional boats not more than ten feet in length, may be stored outside an enclosed structure on a residential lot provided they are titled and licensed to the owner, spouse or child of the real estate upon which it is located.
- e) Up to four canoes, rowboats, paddleboats or other nonpowered boats no longer than eighteen feet, may be stored outside an enclosed structure on a residential lot provided they are titled and licensed to the owner, spouse or child of the real estate upon which it is located.
- f) Under no circumstances shall more than six (6) boats described in (b)-(e) be stored outside an enclosed structure on a residential lot and under no circumstances shall such boats be rented, leased or used for any commercial purpose.

g) Golf carts, snowmobiles, and ATV's (no more than two each), may be stored outside an enclosed structure on a residential lot provided they are properly licensed and titled to the owner of the land upon which they are located, and are in good order, repair, and in operable condition; and provided that they are located within all setback requirements for structures in the zoning code.

h) One tractor or lawnmower may be stored outside an enclosed structure provided it is in good order, repair, and in operable condition; and provided is located within setback requirements for structures in the zoning code.

i) Under no circumstance shall more than a combined total of four vehicles described in (g) through (i) be stored outside on any premises.

3) The parking of a disabled vehicle as defined in Chapter 1109 for a period of more than two (2) weeks shall be prohibited in all districts, unless such a vehicle is stored in an enclosed garage or accessory building.

4) No commercial vehicles , to include commercial tractors, automobiles, vans, trucks, buses, house trailers, semi-trailers, shall be parked or stored on property within a residential zoned district other than in a completely enclosed building, except,

- a) **Those commercial vehicles conveying the necessary tools, materials and equipment to a premises where labor using such tools, materials and equipment is to be performed during the actual time of parking,**
- b) **One (1) commercial vehicle with a current license owned or used by a resident of such property, not to exceed two (2) tons capacity.**

5) Anyone found violating any provision found in 1137.06 shall be fined \$50.00 per day for as long as the violation continues; the Village reserves the right to seek injunctive relief in addition to such fine.

SECTION 2. That this ordinance shall become effective 30 days after its passage.

PASSED this _____ day of _____, 2013

John Ball, Mayor

ATTEST:

Leeann Moses, Clerk/Treasurer

Kyle B. Smith, Solicitor

I hereby certify that a copy of the foregoing ordinance was published
by the Shore News on the ____ day of _____, 2013.

Village Fiscal Officer