

Instrument 201800000946 OR Book Page 556 2293  
201800000946  
Filed for Record in CHAMPAIGN COUNTY, OHIO  
GLENDA L. BAYMAN, RECORDER  
03-07-2018 At 10:12 am.  
VACATION 28.00  
OR Book 556 Page 2293 - 2294

## ORDINANCE 17- 12A

### CLERICAL MODIFICATION OF ORDINANCE 17-12 TO COMPLY WITH COUNTY ENGINEER REQUIREMENTS: ORDINANCE TO VACATE PORTION OF UNIMPROVED ALLEY BETWEEN LOT 270 AND LOT 293

Whereas, it appears beneficial to vacate a portion of the unimproved alley between Lots 270 and Lot 293, and

WHEREAS publication notice of such action is not required because all abutting owners have consented, per ORC 723.06, and

Whereas, there is no current or foreseen need for said portion of alley; and

Whereas, Council is satisfied that there is good cause for such vacation, that such vacation will not be detrimental to the general interest, and such vacation ought to be made;

### NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF MECHANICSBURG, STATE OF OHIO:

Section 1. That the portion of the unimproved alley between Lots 270 and Lot 293, is hereby vacated.

Section 2. That the Village Clerk is hereby directed to cause this vacation ordinance with attached plat to be recorded in the office of the Recorder of Champaign County, Ohio.

Section 3. That this Ordinance be and remain in force from and after the earliest period allowed by law.

The previous Ordinance 17-12, which was passed at a regular meeting held MARCH 5, 2018 after three readings, is hereby modified to comply with clerical requirements of the office of the Champaign County Engineer.

Vote: 6 yea \_\_\_ nay \_\_\_ abstain

Date: MARCH 6, 2018

Greg Kimball  
Greg Kimball, Mayor

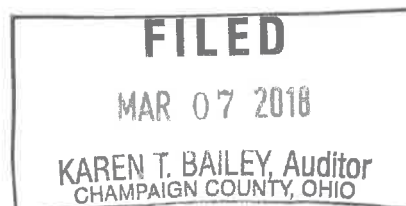
Charles E. Foss  
Charles E. Foss, Council President

April Huggins-Davis  
April Huggins-Davis, Clerk of Council

**DESCRIPTION APPROVED**

Champaign County Engineer

As of MARCH 7, 2018



**DESCRIPTION APPROVED**

Champaign County Engineer

As of

*March 1, 2010*

**FILED**

MAR 07 2010

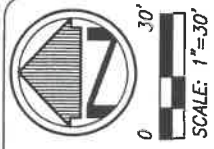
KAREN T. BAILEY, Auditor  
CHAMPAIGN COUNTY, OHIO

STATE OF OHIO, COUNTY OF CHAMPAIGN  
VILLAGE OF MECHANICSBURG  
Lot 270 of revised plat of Mechanicshurg  
& portion of vacated alleys

**BASIS OF BEARINGS**

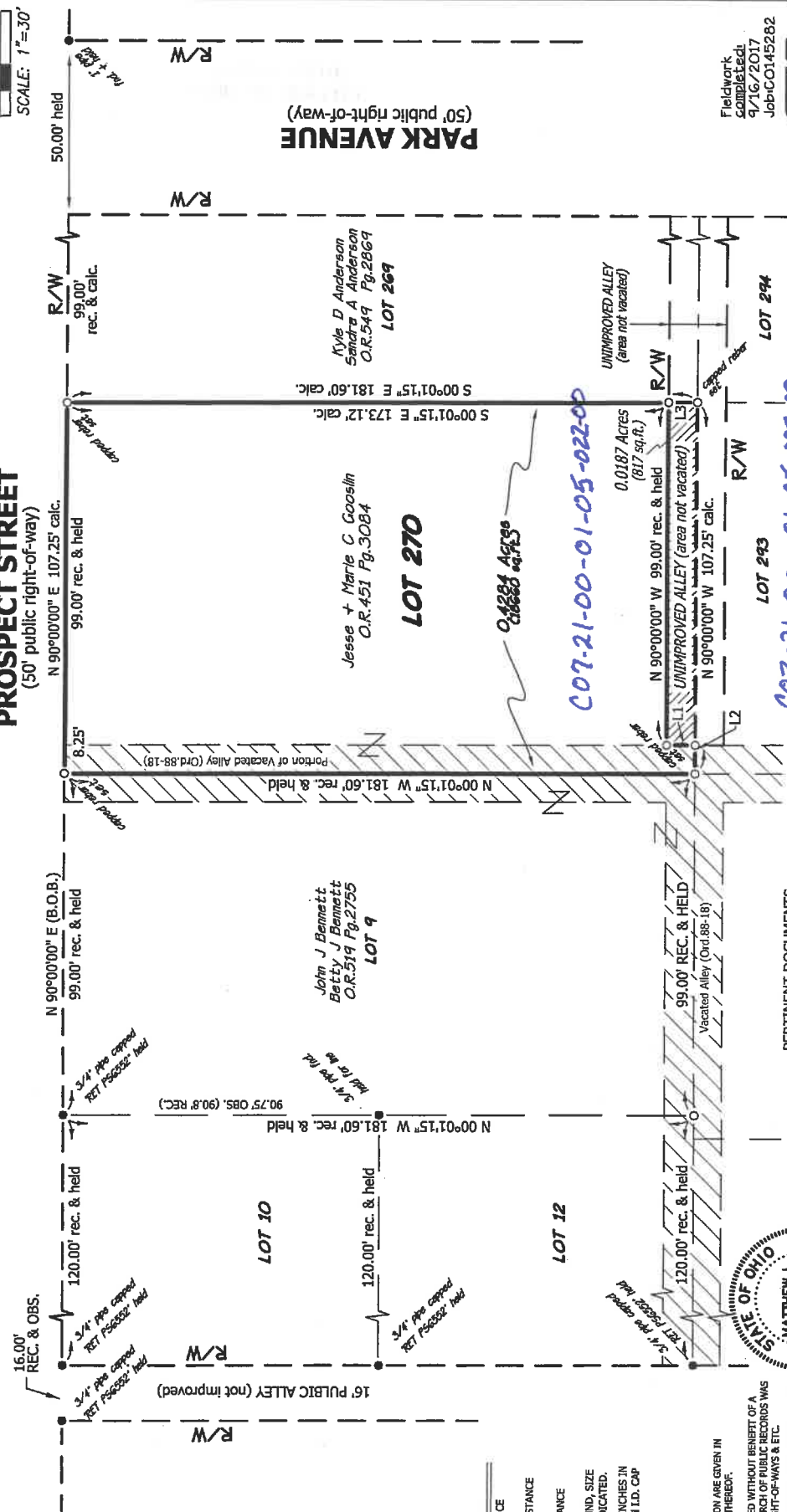
THE BASIS OF BEARINGS FOR THIS  
SURVEY IS ASSUMED.

**BOUNDARY SURVEY**



**PROSPECT STREET**  
(50' public right-of-way)

**PARK AVENUE**  
(50' public right-of-way)



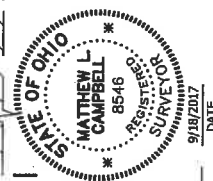
**LEGEND**

- rec. - RECORD DISTANCE
- OR ANGLE
- calc. - CALCULATED DISTANCE
- OR ANGLE
- obs. - OBSERVED DISTANCE
- OR ANGLE
- - MONUMENT FOUND, SIZE & TYPE AS INDICATED.
- - 5/8" BEAR, 30 INCHES IN LENGTH, WITH L.D. CAP & SET

NOTE: DIMENSIONS SHOWN HEREON ARE GIVEN IN FEET AND DECIMAL PARTS THEREOF.

NOTE: THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF A TITLE REPORT AND NO SEARCH OF PUBLIC RECORDS WAS MADE FOR EASEMENTS, RIGHT-OF-WAYS & ETC.

I HEREBY CERTIFY THAT THIS SURVEY WAS PREPARED IN ACCORDANCE WITH THE MINIMUM STANDARDS FOR BOUNDARY SURVEYS IN THE STATE OF OHIO AS DESCRIBED IN O.A.C. CHAPTER 4733-37.



**PERTINENT DOCUMENTS**

- DEEDS
- TAX MAP
- HILLVIEW HEIGHTS SUBDIVISION (Plat Ch.2, Slide 129)
- VACATION ORDINANCE 88-18 (Vol.29, Pg.754)

LINE	BEARING	DISTANCE
L1	S 00°01'15" E	8.25'
L2	N 90°00'00" W	8.25'
L3	S 00°01'15" E	8.25'

Fieldwork completed  
9/16/2017  
Job: CO145282



*Matthew L. Campbell*  
MATTHEW L. CAMPBELL  
CAMPBELL & ASSOCIATES, INC.  
REG. NO. 8546

DATE

## ORDINANCE NO. 18-01

### Modification to the Zoning Ordinance of the Village of Mechanicsburg to Authorize 2<sup>nd</sup> Story and Upper Floor Residential Uses within B-3 Central Business District

Whereas, the Planning Commission of the Village of Mechanicsburg has recommended revision to the Mechanicsburg Zoning Code relating to allowing 2<sup>nd</sup> and upper floors to be used for residential uses within the central business district ( B-3 ), and

Whereas the Mechanicsburg Village Council believes that legislation to allow 2<sup>nd</sup> and upper floors to be used for residential uses within the central business district ( B-3 ) would be beneficial to the public health, safety, and welfare of the citizens of Mechanicsburg:

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF MECHANICSBURG, IN CHAMPAIGN COUNTY, IN THE STATE OF OHIO, THAT

The Mechanicsburg Village Zoning Ordinance shall be modified as follows:

- a). Section 270, as shown on Page 4 in Article 2, ) shall be modified as shown on Attachment I
- b). Page 10 of Article 4 shall be modified as shown on Attachment II.
- c). The above modifications shall be adopted and incorporated into the existing Mechanicsburg Village Zoning Ordinance , and shall go into effect thirty ( 30 ) days after passage.

This Ordinance was passed at a regular meeting held 1-15-18, 2018 after three readings and after a public hearing held on Thursday January 4, 2018.

First Reading: 12-4-17

Second Reading: 12-18-17


Third Reading: 1-15-18

Vote: 4 yea \_\_\_ nay \_\_\_ abstain

Date: 1-15-18



Greg Kimball, Mayor



Charles E. Foss, President of Council



April Huggins-Davis, Clerk of Council

Summary Published : 2-6-18, 2018 and 2-13-18, 2018

## ATTACHMENT 1

Section 260 HIGHWAY & GENERAL BUSINESS DISTRICT (B-2). The purpose of the Highway & General Business District is to provide land for sales, service and repair establishments which require highway orientation or large tracts of land not normally available in central and local business districts; do not contribute to the design of a unified business center; depend on drive-in business; and require a location along or near major thoroughfares and intersections. Residential development is prohibited. Group or central water and sewer facilities are required.

Section 270 CENTRAL BUSINESS DISTRICT (B-3). The purpose of the Central Business District is to provide land for retail, service, office, institutional, commercial, recreational and cultural facilities that are fully compatible in an intensely developed or developing commercial center and for a logical expansion of the compacted core. Residential and other commercial developments are prohibited unless introduced under the planned unit development approach; however, residential developments on 2nd floors or other upper floors may be permitted for buildings in the Historical Main Street Zoning Overlay District. Manufacturing or industrial development is prohibited. Group or central water and sewer facilities are required.

Section 280 LIGHT MANUFACTURING DISTRICT (M-1). The purpose of the Light Manufacturing District is to provide land for manufacturing or industrial establishments which are clean, quiet and free of hazardous or objectionable elements such as noise, odor, dust, smoke or glaze; operate within enclosed structures, and generate little industrial traffic. Group or central water and sewer facilities are required.

Section 290 HEAVY MANUFACTURING DISTRICT (M-2). The purpose of the Heavy Manufacturing District is to provide land for major manufacturing, processing storage, warehousing, research and testing establishments which require large sites, extensive community services and facilities, ready access to regional transportation; have large open storage and service areas; generate heavy traffic, and create no nuisance discernible beyond the district. Residential development is prohibited. Group or central water and sewer facilities are required.

## ATTACHMENT II

<b>B-1 LOCAL BUSINESS</b>	Retail Business, Personal Services, Professional Activities, Offices and Banks, Restaurants and Taverns, Fraternal Organizations, Public and Semi-Public Uses, Public Service Facility	Gasoline Service Stations, Commercial Entertainment Facilities, Automotive Sales & Service, Wholesale Business, Commercial Printing and Publishing	10,000	80
<b>B-2 HIGHWAY &amp; GENERAL BUSINESS</b>	Retail Business, Drive-in Commercial Uses, Personal Services, Professional Activities, Business Services, Offices & Banks, Restaurants and Taverns, Commercial Entertainment Facilities, Gasoline Service Station, Automotive Sales and Repair, Fraternal Organizations, Motels, Accessory Uses	Commercial Printing and Publishing, Animal Hospitals and Clinics, Wholesale Business, Commercial Recreational Facilities, Sales & Storage of Building Materials, Farm Implement Sales and Service, Transport and Trucking Terminals	20,000	120
<b>B-3 CENTRAL BUSINESS</b>	Retail Business, Personal Services, Professional Activities, Business Services, Offices and Banks, Restaurants and Taverns, Hotels and Motels, Social Activities, Public Uses, Semi-Public Uses, Essential Services, Accessory Uses  Single Family or Multi-Family on 2nd or upper floors	Drive-in business, Food Processing, Public Service Facility	None	None
<b>M-1 LIGHT INDUSTRIAL MANUFACTURING</b>	Light Manufacturing & Warehousing and directly related office and retail sales, Offices and Laboratories, Research and Testing Facilities, Public Service Facility, Essential Services, Accessory Uses; Printing & Publishing	Public Service Facilities, Heavy Manufacturing and directly related offices and retail sales, Food processing, Transport terminals, Quasi-Public uses	43,560	200
<b>M-2 HEAVY INDUSTRIAL MANUFACTURING</b>	Heavy Manufacturing and related offices and retail sales, Wholesale and Warehousing, Printing and Publishing, Public Use, Light Manufacturing and directly related offices and retail sales	Signs and Advertising Structures, Junk storage and sales, Public service facilities, Quasi-Public Use; Adult Entertainment	43,560	200

## Public Notice of Hearing

The Mechanicsburg Village Council will hold a Public Meeting at 6:00 PM on Thursday January 4, 2018 at the Mechanicsburg Municipal Building, in the Public Meeting Room.

The purpose of this meeting is to solicit public comments relating to the Mechanicsburg Planning Commission's recommendation for Ordinance 18-02 "Modification to the Zoning Ordinance of the Village of Mechanicsburg to Authorize 2<sup>nd</sup> Story and Upper Floor Residential Uses within B-3 Central Business District" Ordinance, proposed to be enacted for the Village of Mechanicsburg.

Copies of Ordinance 18-02 are available at the Mechanicsburg library, or by request to the Mechanicsburg Village Clerk during regular business hours.

The Mechanicsburg Village Council desires to solicit public input, evaluate such public input, and then hold a vote during a regular meeting on Monday January 15, 2018, regarding possible passage of the recommended modifications.

## AGREEMENT

THIS AGREEMENT (the "Agreement") is made and entered into by and between the Champaign County Board of County Commissioners (the "County") and the Village of Mechanicsburg (the "Village").

WHEREAS, the Village recognizes its responsibility under the laws of the State of Ohio and the United States of America to provide legal counsel to indigent persons charged with a violation of a village ordinance for which the penalty or any possible adjudication includes the potential loss of liberty, and;

WHEREAS, the County has created an appointed counsel system for this municipality whereby individual attorneys are assigned on a case by case basis for indigent defendants who qualify, and;

WHEREAS, the County Commissioners, pursuant to Ohio Revised Code §120.33 and Ohio Administrative Code §120-1-09, may by resolution enter into a contract with a village to provide effective representation of indigent persons under which the village shall reimburse the county for counsel appointed to represent indigent persons charged with a violation of an ordinance of the village, and;

WHEREAS, the County has established a schedule of fees on an hourly basis to be paid to counsel for legal services provided hereunder, and;

WHEREAS, this Agreement has been authorized by Ordinance No. 18-02 of the Village Council of the Village of Mechanicsburg passed on the 5 day of FEBRUARY, 2018, and by Resolution of the Champaign County Board of County Commissioners passed on February 20, 2018.

NOW, THEREFORE, in consideration of the mutual promises contained herein, intending to be legally bound, the parties agree as follows:

1. The Village and County agree that the judge of the municipal court may assign, by journal entry, recorded on the Court Docket, appointed counsel to represent indigent persons in the Municipal Court on or after the commencement date and during the term of this Agreement in which the defendant is indigent and charged with the commission of a criminal offense or act which is a violation of a village ordinance and for which the penalty or any possible adjudication includes the potential loss of liberty.
2. Indigency shall be determined in accordance with the standards of indigency and other rules and guidelines established by the Ohio Public Defender Commission and the State Public Defender pursuant to Ohio Revised Code §120.03, §120.05 and Ohio Administrative Code §120-1-03. In addition to indigency determination,



all rules, standards and guidelines issued by the Office of the Ohio Public Defender and Ohio Public Defender Commission shall be followed.

3. A major purpose of this Agreement is to enable the Village to obtain partial reimbursement from the Ohio Public Defender Commission of attorney fees and expenses for counsel appointed in the Municipal Court for indigent persons charged with the commission of a criminal offense or act which is a violation of village ordinance and for which the penalty or any possible adjudication includes the potential loss of liberty. Any question regarding terms or performance of this Agreement shall be resolved in favor of obtaining this result.
4. The Village agrees to reimburse the County for that portion of the costs not reimbursed by the State of Ohio for providing counsel to indigent persons charged with the commission of an offense or act which is a violation of village ordinance and for which the penalty or any possible adjudication includes the potential loss of liberty.
5. Payment by the Village for representation of such indigent persons in the Municipal Court shall not exceed the fee schedule in effect and adopted by the Champaign County Board of County Commissioners.
6. The duration of this Agreement shall be for the term of one year commencing on January 1, 2018 and ending on December 31, 2018.
7. If either the County or the Village shall fail to fulfill, in a reasonable, timely and proper manner, its obligations under this Agreement or if either party shall substantially violate any of the covenants, Agreements, or stipulations of this Agreement, then the aggrieved party shall have the right to terminate this Agreement by giving thirty days written notice of such termination. Termination by either party shall not constitute a waiver of any other right or remedy it may have in law or in equity for breach of this Agreement by the other party.
8. This Agreement may only be amended by written agreement signed by the parties and made a part hereof.
9. There shall be no discrimination against any employee who is employed in the work covered by this Agreement or against the application for such employment because of race, color, religion, sex, age, handicap or national origin. This provision shall apply to, but not be limited to employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination, raises of pay or other forms of compensation, and selection for training, including apprenticeship. The County shall insert a similar provision in any subcontract for services covered by this Agreement.
10. No personnel of the parties or member of the governing body of any locality or other public official or employee of any such locality in which, or relating to



which, the work under this Agreement is being carried out, and who exercises any functions or responsibilities in connection with the review or approval of the understanding or carrying out of and such work, shall, prior to the completion of said work, voluntarily acquire any personal interest, direct or indirect, which is incompatible or in conflict with the discharge and fulfillment of his or her functions and responsibilities with respect to the carrying out of said work.

IN WITNESS WHEREOF, the parties have hereunto set their hands this  
20th day of February, 2018.

BOARD OF COUNTY COMMISSIONERS  
OF CHAMPAIGN COUNTY

Witness	by
<u>Racine Luyran</u>	<u>Stan R. Hess</u>
<u>Andrea Millice</u>	<u>Daniel E. Faulkner</u>
	<u>Bob E. Corbett</u>

VILLAGE OF MECHANICSBURG, OHIO

Attest  
Amil Huggins Davis Clerk  
by [Signature]

APPROVED AS TO FORM:

[Signature]  
Champaign County Prosecuting Attorney

Ohio Public Defender Commission

by [Signature]

ORDINANCE NO. 18- 03

**Acceptance of Petition for Annexation of  
Land Belonging to Advanced Technology Products**

Whereas, Advanced Technology Products, Inc. owns the property identified on the Official Records of the Champaign County Recorder in Volume 532, Page 1160, and have submitted a Petition for Annexation as contained in Attachment 1, and

Whereas the Board of Trustees of Goshen Township and the Village of Mechanicsburg have determined that it is in the best interest of both Goshen Township and the Village of Mechanicsburg, as well as for the community as a whole, for said property to be annexed into the Village of Mechanicsburg, and

Whereas the Board of Trustees of Goshen Township and the Village of Mechanicsburg have agreed to the terms of an Annexation Agreement as specified in ORC 709.192, as shown in Attachment 1, and

Whereas the Village of Mechanicsburg passed a Resolution approving said Annexation Agreement, and

Whereas the Champaign County Board of Commissioners has approved the Petition for Annexation and has provided a certified copy of the entire annexation proceeding to the Village Council of Mechanicsburg;

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF MECHANICSBURG, IN CHAMPAIGN COUNTY, IN THE STATE OF OHIO, THAT

Section 1. The Annexation Petition contained in Attachment 1 shall be approved and adopted, and shall go into effect at the earliest time allowable by law.

This Ordinance was passed at a regular meeting held MARCH 5, 2018 after three readings.

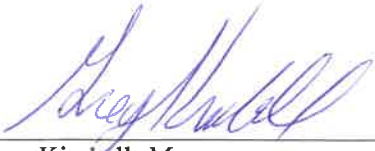
First Reading: JANUARY 15, 2018

Second Reading: FEBRUARY 5, 2018

Third Reading: MARCH 5, 2018

Vote: 16 yea 0 nay / abstain


Date: MARCH 5, 2018



Greg Kimball, *Mayor*



Charles E. Foss, *President of Council*



April Huggins-Davis, *Clerk of Council*

**Certification:**

I certify that this is a true and accurate copy of the document approved by the Council of the Village Mechanicsburg on March 5, 2018.



march 5, 2018

April Huggins-Davis, *Clerk of Council*      Date

ORDINANCE NO. 18-04

**AN ORDINANCE APPROVING, ADOPTING AND ENACTING THE 2018 EDITION OF THE MODEL OHIO MUNICIPAL CODE – ADMINISTRATION CODE, AS REVISED THROUGH JULY 18, 2017, PUBLISHED BY AMERICAN LEGAL PUBLISHING FOR THE VILLAGE OF MECHANICSBURG, OHIO; REPEALING ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH; PUBLISHING THE ENACTMENT OF NEW MATTER; AND DECLARING AN EMERGENCY.**

**WHEREAS**, American Legal Publishing Corporation has prepared and published a Model Ohio Municipal Code – Administration Code, as revised through July 18, 2017, which components are based upon and consistent with State law through July 18, 2017; and

**WHEREAS**, the Village is in need of a codification of such legislation, with which to administer the affairs of the Village, ensure law and order and avoid practical and legal entanglements; and

**WHEREAS**, Article XVIII, Section 3, of the Ohio Constitution requires that Village law be in conformity with State law in those areas specified therein;

**NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF MECHANICSBURG, OHIO:**

**SECTION 1.** The 2018 Edition of the Model Ohio Municipal Code – Administration Code, as published by American Legal Publishing Corporation, is hereby approved, adopted and enacted by and for the Village.

**SECTION 2.** One book-form copy of the 2018 Edition of this Model Ohio Municipal Code – Administration Code shall be attached to this ordinance as a part hereof and filed with the permanent ordinance records of the Village.

**SECTION 3.** All ordinances and resolutions or parts thereof which are in conflict or inconsistent with any provision of the 2018 Edition of the Model Ohio Municipal Code – Administration Code, as adopted in Section 1 hereof, are hereby repealed as of the effective date of this ordinance, except as follows:

- A. The enactment of the 2018 Edition of the Model Ohio Municipal Code – Administration Code shall not be construed to affect a right or liability accrued or incurred under any legislative provision prior to the effective date of such enactment, or an action or proceeding for the enforcement of such right or liability. Such enactment shall not be construed to relieve any person from punishment for an act committed in violation of any such legislative provision, nor to affect an indictment or prosecution therefor. For such purposes, any such legislative provision shall continue in full force notwithstanding its repeal for the purpose of revision and codification.
- B. The repeal provided above shall not affect:
  - (1) The grant or creation of a franchise, license, right, easement or privilege;
  - (2) The purchase, sale, lease or transfer of property;
  - (3) The appropriation or expenditure of money or promise or guarantee of payment;
  - (4) The assumption of any contract or obligation;
  - (5) The issuance and delivery of any bonds, obligations or other instruments of indebtedness;
  - (6) The levy or imposition of taxes, assessments or charges;
  - (7) The establishment, naming, vacating or grade level of any street or public way;
  - (8) The dedication of property or plat approval;
  - (9) The annexation or detachment of territory;
  - (10) Any legislation enacted subsequent to the adoption of this ordinance.

**SECTION 4.** Pursuant to Ohio R.C. 731.21, 731.22 and 731.23, the Clerk of Council shall cause to be published a notice of the enactment of this ordinance, containing the title of the ordinance and a summary of the new matters covered by it, which summary is attached hereto and marked “Exhibit A.”


**SECTION 5.** Whenever reference is made in any documents, publications, or signs of the municipality, including but not limited to traffic tickets and traffic-control signs, to a section as it existed in a former edition of the Model Ohio Municipal Code, the reference shall extend and apply to the section referred to as subsequently amended, revised, recodified, or renumbered.

**SECTION 6.** This ordinance is hereby declared to be an emergency measure, immediately necessary for the preservation of the public peace, health and safety, such emergency existing by reason of the necessity of providing a Municipal Code that is consistent with the latest State law, as required by the Ohio Constitution, and this ordinance, including the 2018 Edition of the Model Ohio Municipal Code – General Offenses Code adopted hereby, shall take effect and be in force immediately upon its passage by at least two-thirds of all members elected to Council, otherwise from and after the earliest period allowed by law.

Date Passed: FEB 5, 2018

Attest:

  
Mayor

  
Clerk of Council

PUBLISHED 2-13-18  
2-20-18

ORDINANCE NO. 18-05

**AN ORDINANCE APPROVING, ADOPTING AND ENACTING THE 2018 EDITION OF THE MODEL OHIO MUNICIPAL CODE – TRAFFIC CODE, AS REVISED THROUGH JULY 18, 2017, PUBLISHED BY AMERICAN LEGAL PUBLISHING FOR THE VILLAGE OF MECHANICSBURG, OHIO; REPEALING ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH; PUBLISHING THE ENACTMENT OF NEW MATTER; AND DECLARING AN EMERGENCY.**

**WHEREAS**, American Legal Publishing Corporation has prepared and published a Model Ohio Municipal Code – Traffic Code, as revised through July 18, 2017, which components are based upon and consistent with State law through July 18, 2017; and

**WHEREAS**, the Village is in need of a codification of such legislation, with which to administer the affairs of the Village, ensure law and order and avoid practical and legal entanglements; and

**WHEREAS**, Article XVIII, Section 3, of the Ohio Constitution requires that Village law be in conformity with State law in those areas specified therein;

**NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF MECHANICSBURG, OHIO:**

**SECTION 1.** The 2018 Edition of the Model Ohio Municipal Code – Traffic Code, as published by American Legal Publishing Corporation, is hereby approved, adopted and enacted by and for the Village.

**SECTION 2.** One book-form copy of the 2018 Edition of this Model Ohio Municipal Code – Traffic Code shall be attached to this ordinance as a part hereof and filed with the permanent ordinance records of the Village.

**SECTION 3.** All ordinances and resolutions or parts thereof which are in conflict or inconsistent with any provision of the 2018 Edition of the Model Ohio Municipal Code – Traffic Code, as adopted in Section 1 hereof, are hereby repealed as of the effective date of this ordinance, except as follows:

- A. The enactment of the 2018 Edition of the Model Ohio Municipal Code – Traffic Code shall not be construed to affect a right or liability accrued or incurred under any legislative provision prior to the effective date of such enactment, or an action or proceeding for the enforcement of such right or liability. Such enactment shall not be construed to relieve any person from punishment for an act committed in violation of any such legislative provision, nor to affect an indictment or prosecution therefor. For such purposes, any such legislative provision shall continue in full force notwithstanding its repeal for the purpose of revision and codification.
- B. The repeal provided above shall not affect:
  - (1) The grant or creation of a franchise, license, right, easement or privilege;
  - (2) The purchase, sale, lease or transfer of property;
  - (3) The appropriation or expenditure of money or promise or guarantee of payment;
  - (4) The assumption of any contract or obligation;
  - (5) The issuance and delivery of any bonds, obligations or other instruments of indebtedness;
  - (6) The levy or imposition of taxes, assessments or charges;
  - (7) The establishment, naming, vacating or grade level of any street or public way;
  - (8) The dedication of property or plat approval;
  - (9) The annexation or detachment of territory;
  - (10) Any legislation enacted subsequent to the adoption of this ordinance.

**SECTION 4.** Pursuant to Ohio R.C. 731.21, 731.22 and 731.23, the Clerk of Council shall cause to be published a notice of the enactment of this ordinance, containing the title of the ordinance and a summary of the new matters covered by it, which summary is attached hereto and marked "Exhibit A."

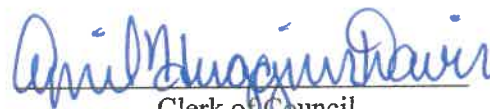
**SECTION 5.** Whenever reference is made in any documents, publications, or signs of the municipality, including but not limited to traffic tickets and traffic-control signs, to a section as it existed in a former edition of the Model Ohio Municipal Code, the reference shall extend and apply to the section referred to as subsequently amended, revised, recodified, or renumbered.

**SECTION 6.** This ordinance is hereby declared to be an emergency measure, immediately necessary for the preservation of the public peace, health and safety, such emergency existing by reason of the necessity of providing a Municipal Code that is consistent with the latest State law, as required by the Ohio Constitution, and this ordinance, including the 2018 Edition of the Model Ohio Municipal Code – Traffic Code adopted hereby, shall take effect and be in force immediately upon its passage by at least two-thirds of all members elected to Council, otherwise from and after the earliest period allowed by law.

Date Passed: FEB 5, 2019

Attest:

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Clerk of Council

PUBLISHED 2-13-18  
2-20-18



ORDINANCE NO. 18-06

**AN ORDINANCE APPROVING, ADOPTING AND ENACTING THE 2018 EDITION OF THE MODEL OHIO MUNICIPAL CODE – GENERAL OFFENSES CODE, AS REVISED THROUGH JULY 18, 2017, PUBLISHED BY AMERICAN LEGAL PUBLISHING FOR THE VILLAGE OF MECHANICSBURG, OHIO; REPEALING ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH; PUBLISHING THE ENACTMENT OF NEW MATTER; AND DECLARING AN EMERGENCY.**

**WHEREAS**, American Legal Publishing Corporation has prepared and published a Model Ohio Municipal Code – General Offenses Code, as revised through July 18, 2017, which components are based upon and consistent with State law through July 18, 2017; and

**WHEREAS**, the Village is in need of a codification of such legislation, with which to administer the affairs of the Village, ensure law and order and avoid practical and legal entanglements; and

**WHEREAS**, Article XVIII, Section 3 of the Ohio Constitution requires that Village law be in conformity with State law in those areas specified therein;

**NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF MECHANICSBURG, OHIO:**

**SECTION 1.** The 2018 Edition of the Model Ohio Municipal Code – General Offenses Code, as published by American Legal Publishing Corporation, is hereby approved, adopted and enacted by and for the Village.

**SECTION 2.** One book-form copy of the 2018 Edition of this Model Ohio Municipal Code – General Offenses Code shall be attached to this ordinance as a part hereof and filed with the permanent ordinance records of the Village.

**SECTION 3.** All ordinances and resolutions or parts thereof which are in conflict or inconsistent with any provision of the 2018 Edition of the Model Ohio Municipal Code – General Offenses Code, as adopted in Section 1 hereof, are hereby repealed as of the effective date of this ordinance, except as follows:

- A. The enactment of the 2018 Edition of the Model Ohio Municipal Code – General Offenses Code shall not be construed to affect a right or liability accrued or incurred under any legislative provision prior to the effective date of such enactment, or an action or proceeding for the enforcement of such right or liability. Such enactment shall not be construed to relieve any person from punishment for an act committed in violation of any such legislative provision, nor to affect an indictment or prosecution therefor. For such purposes, any such legislative provision shall continue in full force notwithstanding its repeal for the purpose of revision and codification.
- B. The repeal provided above shall not affect:
  - (1) The grant or creation of a franchise, license, right, easement or privilege;
  - (2) The purchase, sale, lease or transfer of property;
  - (3) The appropriation or expenditure of money or promise or guarantee of payment;
  - (4) The assumption of any contract or obligation;
  - (5) The issuance and delivery of any bonds, obligations or other instruments of indebtedness;
  - (6) The levy or imposition of taxes, assessments or charges;
  - (7) The establishment, naming, vacating or grade level of any street or public way;
  - (8) The dedication of property or plat approval;
  - (9) The annexation or detachment of territory;
  - (10) Any legislation enacted subsequent to the adoption of this ordinance.

**SECTION 4.** Pursuant to Ohio R.C. 731.21, 731.22 and 731.23, the Clerk of Council shall cause to be published a notice of the enactment of this ordinance, containing the title of the ordinance and a summary of the new matters covered by it, which summary is attached hereto and marked “Exhibit A.”

**SECTION 5.** Whenever reference is made in any documents, publications, or signs of the municipality, including but not limited to traffic tickets and traffic-control signs, to a section as it existed in a former edition of the Model Ohio Municipal Code, the reference shall extend and apply to the section referred to as subsequently amended, revised, recodified, or renumbered.

**SECTION 6.** This ordinance is hereby declared to be an emergency measure, immediately necessary for the preservation of the public peace, health and safety, such emergency existing by reason of the necessity of providing a Municipal Code that is consistent with the latest State law, as required by the Ohio Constitution, and this ordinance, including the 2018 Edition of the Model Ohio Municipal Code – Administration Code adopted hereby, shall take effect and be in force immediately upon its passage by at least two-thirds of all members elected to Council, otherwise from and after the earliest period allowed by law.

Date Passed: FEB 5, 2018

Attest:

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Clerk of Council

PUBLISHED 2-13-18  
2-20-18

## **ORDINANCE NO. 18-07**

### **Ordinance Prohibiting the Cultivation, Processing, or Retail Distribution of Medical Marijuana within the Village of Mechanicsburg**

Whereas on May 25, 2016, the Ohio General Assembly passed Substitute House Bill 523, which allows individuals with a qualifying medical condition, on the recommendation of a physician, to apply to the State, and upon approval of their application, to receive an identification card allowing them to obtain, possess, and use medical marijuana for the treatment of said condition; and

Whereas ORC 3796.29 authorizes legislative bodies to prohibit Cultivators, Processors, or Retail Dispensaries within the municipal corporation; and

Whereas, the Planning Commission of the Village of Mechanicsburg has recommended that Medical Marijuana Dispensaries be banned within the Village of Mechanicsburg; and

Whereas marijuana (cannabis) remains classified as a Schedule I Controlled Substance under the Federal Controlled Substances Act, which makes illegal any of the following actions: manufacture, distribution, dispensing, and possession of marijuana with intent to manufacture; and

Whereas a consequence of the continued prohibition of marijuana by the Federal government is that financial services providers such as banks and credit card companies are prohibited to conduct business with marijuana enterprises, as Federal law makes illegal the transmission of funds known to have been generated from sale so Schedule I drugs such as marijuana; and

Whereas the unbanked status of marijuana businesses results in businesses and their customers carrying substantial amounts of cash, and the presence of large amounts of cash creates opportunity for robbery, theft, money laundering, tax evasion, and other crimes constituting threats to the public health, safety, and welfare; and

Whereas, due to the above threats to public health, safety and welfare, and in view of the Federal laws which continue to classify marijuana (cannabis) as a schedule I drug, the Village of Mechanicsburg determines that cultivation, processing, or retail dispensing of marijuana, for medical purposes or otherwise, shall not be a permitted use within the Village;

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF MECHANICSBURG, IN CHAMPAIGN COUNTY, IN THE STATE OF OHIO, THAT:

1). The Village Zoning Ordinance of Mechanicsburg shall be modified as follows:

a). Section 593 shall be added as shown on attachment I.

2). The above modifications shall be adopted and incorporated into the existing Mechanicsburg Village Zoning Ordinance , and shall go into effect thirty ( 30 ) days after passage.

This Ordinance was passed at a regular meeting held MARCH 19, 2018, 2018 after three readings and after a public hearing held on Monday March 5, 2018.

First Reading: FEB 5, 2018

Second Reading: MARCH 5, 2018

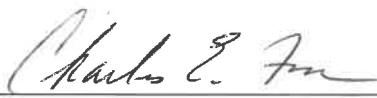
Third Reading: MARCH 19, 2018

Vote: 5 yea 1 nay \_\_\_ abstain

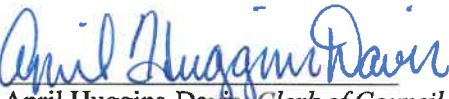
Date: MARCH 19, 2018



Greg Kimball, Mayor



Charles E. Foss, President of Council



April Huggins-Davis, Clerk of Council

Summary Published : MARCH 27, 2018 and APRIL 10, 2018

## **Attachment I**

### **Section 593:** Cultivation, Processing, or Retail Dispensing of Medical Marijuana

- a). The cultivation, processing, or retail dispensing of medical marijuana within the corporate boundaries of the Village of Mechanicsburg is hereby prohibited.
- b). This section does not prohibit research related to marijuana conducted at a state university, academic medical center, or private research and development organization as part of a research protocol approved by an institutional review board or equivalent entity, if otherwise permitted by State law , rule, or local ordinance.

### **593.99** Penalty:

Whoever violates Section 593(a) is guilty of a misdemeanor of the fourth degree. Each day in violation shall constitute a separate offense.

ORDINANCE NO. 18- 08

Addition to Mechanicsburg General Offenses Code :  
Section 624.19 – “Trafficking in, or Possession of, Dangerous Drugs”

Whereas, the Mechanicsburg Village Council desires to enact a local version of Ohio Revised Code Section 4729.51, relating to prohibition of trafficking or possession of dangerous drugs; and

Whereas, a copy of the proposed new Mechanicsburg Ordinance Section 624.19“Trafficking in, or Possession of, Dangerous Drugs”, is attached;

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF MECHANICSBURG, IN CHAMPAIGN COUNTY, IN THE STATE OF OHIO, THAT

Section 1. Mechanicsburg Ordinance Section 624.19“Trafficking in, or Possession of, Dangerous Drugs” is hereby approved and shall enacted to become part of the Mechanicsburg General Offenses Code.

Section 2. This Ordinance, as worded on the attached page, shall go into effect, and remain in force, at the earliest period allowed by law..

First Reading : MARCH 19

Second Reading: APRIL 2

Third Reading: APRIL 16

Vote Regarding ~~Resolution~~ <sup>ORDINANCE</sup>:

Vote: 6 yea \_\_\_ nay \_\_\_ abstain

Passed this 16 day of APRIL 2018.

Date: 4-16-18

April Huggins-Davis  
April Huggins-Davis, Clerk of Council

Greg Kimball  
Greg Kimball, Mayor  
Charles E. Foss  
Charles E. Foss, President of Council

## **Mechanicsburg Ohio Code of General Offenses**

### **624.19 TRAFFICKING IN OR POSSESSION OF DANGEROUS DRUGS.**

- (a) No person other than a registered wholesale distributor of dangerous drugs shall possess for sale, sell, distribute, or deliver, at wholesale, dangerous drugs, except as follows:
  - (1) A pharmacist who is a licensed terminal distributor of dangerous drugs or who is employed by a licensed terminal distributor of dangerous drugs may make occasional sales of dangerous drugs at wholesale;
  - (2) A licensed terminal distributor of dangerous drugs having more than one establishment or place may transfer or deliver dangerous drugs from one establishment or place for which a license has been issued to the terminal distributor to another establishment or place for which a license has been issued to the terminal distributor if the license issued for each establishment or place is in effect at the time of the transfer or delivery.
- (b) (1) No registered wholesale distributor of dangerous drugs shall possess for sale, or sell, at wholesale, dangerous drugs to any person other than the following:
  - A. A licensed health professional authorized to prescribe drugs;
  - B. An optometrist licensed under Ohio R.C. Chapter 4725 who holds a topical ocular pharmaceutical agents certificate;
  - C. A registered wholesale distributor of dangerous drugs;
  - D. A manufacturer of dangerous drugs;
  - E. A licensed terminal distributor of dangerous drugs, subject to division (b)(2) of this section;
  - F. Carriers or warehousemen for the purposes of carriage or storage;
  - G. Terminal or wholesale distributors of dangerous drugs who are not engaged in the sale of dangerous drugs within this state.
  - H. An individual who holds a current license, certificate, or registration issued under Ohio R.C. Title 47 and has been certified to conduct diabetes education by a national certifying body specified in rules adopted by the State Board of Pharmacy under Ohio R.C. 4729.68, but only with respect to insulin that will be used for the purpose of diabetes education and only if diabetes education is within the individual's scope of practice under statutes and rules regulating the individual's profession.
- (2) No registered wholesale distributor of dangerous drugs shall possess dangerous drugs for sale at wholesale, or sell such drugs at wholesale, to a licensed terminal distributor of dangerous drugs, except to:
  - A. A terminal distributor who has a category I license, only dangerous drugs described in category I, as defined in Ohio R.C. 4729.54(A)(1);
  - B. A terminal distributor who has a category II license, only dangerous drugs described in category I and category II, as defined in Ohio R.C. 4729.54(A)(1) and (2);
  - C. A terminal distributor who has a category III license, dangerous drugs described in category I, category II, and category III, as defined in Ohio R.C. 4729.54(A)(1), (2), and (3);



D. A terminal distributor who has a limited category I, II, or III license, only the dangerous drugs specified in the certificate furnished by the terminal distributor in accordance with Ohio R.C. 4729.60.

(c) (1) Except as provided in division (c)(4) of this section, no person shall sell, at retail, dangerous drugs.

(2) Except as provided in division (c)(4) of this section, no person shall possess for sale, at retail, dangerous drugs.

(3) Except as provided in division (c)(4) of this section, no person shall possess dangerous drugs.

(4) Divisions (c)(1), (2), and (3) of this section do not apply to a registered wholesale distributor of dangerous drugs, a licensed terminal distributor of dangerous drugs, or a person who possesses, or possesses for sale or sells, at retail, a dangerous drug in accordance with Ohio R.C. Chapters 3719, 4715, 4723, 4725, 4729, 4731, and 4741. Divisions (c)(1), (2), and (3) of this section do not apply to an individual who holds a current license, certificate, or registration issued under Ohio R.C. Title 47 and has been certified to conduct diabetes education by a national certifying body specified in rules adopted by the State Board of Pharmacy under Ohio R.C. 4729.68, but only to the extent that the individual possesses insulin or personally supplies insulin solely for the purpose of diabetes education and only if diabetes education is within the individual's scope of practice under statutes and rules regulating the individual's profession.

(d) No licensed terminal distributor of dangerous drugs shall purchase for the purpose of resale dangerous drugs from any person other than a registered wholesale distributor of dangerous drugs, except as follows:

1. A licensed terminal distributor of dangerous drugs may make occasional purchases of dangerous drugs for resale from a pharmacist who is a licensed terminal distributor of dangerous drugs or who is employed by a licensed terminal distributor of dangerous drugs;
2. A licensed terminal distributor of dangerous drugs having more than one establishment or place may transfer or receive dangerous drugs from one establishment or place for which a license has been issued to the terminal distributor to another establishment or place for which a license has been issued to the terminal distributor if the license issued for each establishment or place is in effect at the time of the transfer or receipt.

(e) No licensed terminal distributor of dangerous drugs shall engage in the sale or distribution of dangerous drugs at retail or maintain possession, custody, or control of dangerous drugs for any purpose other than the distributor's personal use or consumption, at any establishment or place other than those described in the license issued by the Board of Pharmacy to such terminal distributor.

(f) Nothing in this section shall be construed to interfere with the performance of official duties by any law enforcement official authorized by municipal, county, state or federal law to collect samples of any drug, regardless of its nature or in whose possession it may be.

(g) (1) Whoever violates divisions (a), (b), (d) or (e) of this section is guilty of a misdemeanor of the first degree for the first offense.

(2) Whoever violates division (c)(1) or (c)(2) of this section is guilty of a felony, to be prosecuted under appropriate state law.

(3) Whoever violates division (c)(3) of this section is guilty of a misdemeanor of the first degree. If the offender has previously been convicted or pleaded guilty to a violation of this chapter, or of a violation of Ohio R.C. Chapter 2925, 3719 or 4729, that person is guilty of a felony, to be prosecuted under appropriate state law.

## ORDINANCE NO. 18- 09

### Modification of Zoning Ordinance Section 523 Regulating Permanent and Temporary Swimming Pools within the Village of Mechanicsburg

Whereas, the Planning Commission of the Village of Mechanicsburg has recommended revision to the Mechanicsburg Zoning Code relating to regulation of permanent and temporary swimming pools, as shown on Exhibit I; and

Whereas the Mechanicsburg Village Council believes that legislation to revise said regulation of permanent and temporary swimming pools would be beneficial to the public health, safety, and welfare of the citizens of Mechanicsburg:

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF MECHANICSBURG, IN CHAMPAIGN COUNTY, IN THE STATE OF OHIO, THAT

Section I: The Mechanicsburg Village Zoning Ordinance 523.1, as shown on Exhibit I, shall supercede and replace the existing section 523.

Section II: A swimming pool permit fee of \$25 shall be implemented on all pools having a capacity of 18 inches or more.

Section III: The above modifications shall be adopted and incorporated into the existing Mechanicsburg Village Zoning Ordinance , and shall go into effect thirty ( 30 ) days after passage.

This Ordinance was passed at a regular meeting held JUNE 4, 2018 after three readings and after a public hearing held on Monday May 21, 2018.

First Reading: MAY 7, 2018

Second Reading: MAY 21, 2018

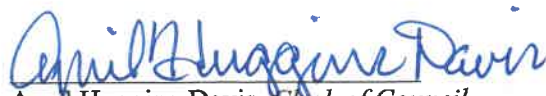
Third Reading: JUNE 4, 2018

Vote: 5 yea \_\_\_ nay \_\_\_ abstain

Date: JUNE 4, 2018

  
Greg Kimball, Mayor

  
Charles E. Foss, President of Council

  
April Huggins-Davis, Clerk of Council

Summary Published : \_\_\_\_\_, 2018 and \_\_\_\_\_, 2018

## **EXHIBIT I**

### **§ Section 523.1 PRIVATE SWIMMING POOLS:** **Supersedes and Replaces § 523**

A private swimming pool is intended and is to be used solely for the enjoyment of the occupants of the principal use of the property on which it is located.

1. Pools:
  - a). For pools, whether installed permanently or not, that have the capacity to hold at least eighteen (18) inches of water, an annual permit is required. There shall be no cost for this pool permit. This permit must be obtained by or before June 1 each year, except that, for pools installed after June 1, the owner shall obtain a permit within one week of installation of the pool.
  - b). A six (6) foot tall fence is required around the pool or entire yard within twenty four (24) hours of filling the pool with water. The fence shall be continuous with a lockable gate such that would secure access. Above ground pools may be used as a barrier, with additional two (2) foot fencing on top of and around the entire structure, with ladders or steps used to access the pool capable of being secured, locked, or removed to prevent access.
  - c). Pools shall be located in the rear yard and placed at least ten (10) feet from any property line.
2. Pools that have a capacity of greater than eighteen (18) inches are not exempt, even if they are filled to a depth of less than eighteen (18) inches. If the depth capacity of the pool is eighteen (18) inches or greater, the requirements of Section 523.1 shall apply.
3. Swimming pools which are not permanently installed shall be removed from October 31 to April 1.
4. "Kiddie" Pool Exemption:  
Any pool with a maximum water depth capacity of less than eighteen (18) inches shall be exempt from the above swimming pool regulations.
5. The penalty for failure to abide by the above regulation shall be as specified in Section 1150 of the Zoning Ordinance of Mechanicsburg.

ORDINANCE NO. 18- 10

Ordinance to Require Annexation of Properties Seeking  
Extension of Village Water or Sewer Services

Whereas the Village of Mechanicsburg undertook extensive planning, risk and financial responsibility for the establishment of its water and sewer systems; and

Whereas the Village of Mechanicsburg continues to incur substantial costs to maintain its current Water and Sewer services; and

Whereas such costs are borne by the residents of the Village; and

Whereas a larger economic base reduces the costs for each individual resident;

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF  
MECHANICSBURG, IN CHAMPAIGN COUNTY, IN THE STATE OF OHIO, THAT

Section 1. All persons and entities seeking water and/or sewer services from the Village of Mechanicsburg for properties outside the municipal boundaries of the Village, are henceforth required to annex such subject properties into the Village of Mechanicsburg.

Section 2. This Ordinance shall go into effect, and remain in force, at the earliest period allowed by law..

First Reading : July 16, 2018

Second Reading: Aug 6, 2018

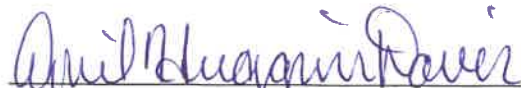
Third Reading: Aug 20, 2018


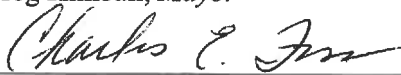
Vote Regarding Resolution:

Vote: 6 yea \_\_\_\_ nay \_\_\_\_ abstain

Passed this 20 day of August 2018.

Date: 8-20-18

  
April Huggins-Davis, Clerk of Council

  
Greg Kimball, Mayor  
  
Charles E. Foss, President of Council

**ORDINANCE NO. 18- 11**  
**Emergency Ordinance Authorizing**  
**Partition and Zoning Change to 42 Locust Street**

Whereas the Mechanicsburg Planning Commission has recommended to the Mechanicsburg Village Council that the property located at 42 S. Locust Street be partitioned into 2 sections, and that the zoning designation be changed; and

Whereas of the property located at 42 S. Locust Street was initially one parcel designated as C07-21-00-01-19-062-00, consisting of approximately 1.103 acres, and which had a zoning designation of Agricultural (A-1); and

Whereas division of said parcel will produce 2 parcels designated as C07-21-00-01-19-062-00, consisting of approximately 0.663 acres, and C07-21-00-01-19-062-01, consisting of the remainder of approximately 0.44 acres, and having an address of 56 B South Main Street; and

Whereas the Mechanicsburg Planning Commission recommendation is that the larger parcel, consisting of approximately 0.663 acres, be zoned Highway & General Business District (B-2) and the smaller parcel, consisting of approximately 0.44 acres, be zoned Central Business District (B-3); and

Whereas the Village Council held a public hearing on July 9, 2018 to solicit public comments on said recommendation; and

Whereas the Village Council, during a public meeting held on July 16, 2018, voted to adopt the recommendation of the Mechanicsburg Planning Commission;

**NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF MECHANICSBURG, IN CHAMPAIGN COUNTY, IN THE STATE OF OHIO, THAT**

Section 1. Following completion of the partition as described above, the Zoning designation of Parcel C07-21-00-01-19-062-00, located at 42 S. Locust Street, is hereby changed to Highway & General Business District (B-2).

Section 2. The Zoning designation of Parcel C07-21-00-01-19-062-01, located at 56 B South Main Street, is hereby changed to Central Business District (B-3).

Section 3. Due to time constraints, this Ordinance must be passed as an Emergency Ordinance, and as an Emergency measure, this ordinance shall take effect immediately upon passage.


Vote Regarding Emergency: Vote: 5 yea \_\_\_ nay \_\_\_ abstain

Vote Regarding Passage of Resolution: Vote: 5 yea \_\_\_ nay \_\_\_ abstain

Passed this 6<sup>th</sup> day of August 2018.

Date: 8-6-18

  
April Huggins-Davis, *Clerk of Council*

  
Greg Kimball, *Mayor*

  
Charles E. Foss, *President of Council*

## ORDINANCE NO. 18- 11

### Ordinance Authorizing Partition and Zoning Change to 42 Locust Street

Whereas the Mechanicsburg Planning Commission has recommended to the Mechanicsburg Village Council that the property located at 42 S. Locust Street be partitioned into 2 sections, and that the zoning designation be changed; and

Whereas of the property located at 42 S. Locust Street was initially one parcel designated as C07-21-00-01-19-062-00, consisting of approximately 1.103 acres, and which had a zoning designation of Agricultural (A-1); and

Whereas division of said parcel will produce 2 parcels designated as C07-21-00-01-19-062-00, consisting of approximately 0.663 acres, and C07-21-00-01-19-062-01, consisting of the remainder of approximately 0.44 acres, and having an address of 56 B South Main Street; and

Whereas the Mechanicsburg Planning Commission recommendation is that the larger parcel, consisting of approximately 0.663 acres, be zoned Highway & General Business District (B-2) and the smaller parcel, consisting of approximately 0.44 acres, be zoned Central Business District (B-3); and

Whereas the Village Council held a public hearing on July 9, 2018 to solicit public comments on said recommendation; and

Whereas the Village Council, during a public meeting held on July 16, 2018, voted to adopt the recommendation of the Mechanicsburg Planning Commission;

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF MECHANICSBURG, IN CHAMPAIGN COUNTY, IN THE STATE OF OHIO, THAT

Section 1. Following completion of the partition as described above, the Zoning designation of Parcel C07-21-00-01-19-062-00, located at 42 S. Locust Street, is hereby changed to Highway & General Business District (B-2).

Section 2. The Zoning designation of Parcel C07-21-00-01-19-062-01, located at 56 B South Main Street, is hereby changed to Central Business District (B-3).

Section 3. This Ordinance shall go into effect, and remain in force, at the earliest period allowed by law.

First Reading: ~~July 16, 2018~~ Second Reading: \_\_\_\_\_ Third Reading: \_\_\_\_\_

Vote Regarding Resolution: Vote: 5 yea \_\_\_\_ nay \_\_\_\_ abstain  
Passed this 6 day of August 2018.

Date: 8-6-18

April Huggins Davis  
April Huggins-Davis, Clerk of Council

Greg Kimball, Mayor  
Charles E. Foss  
Charles E. Foss, President of Council

PASSED BY EMERGENCY DUE TO TIMING.



## **ORDINANCE NO. 18- 12**

### **New Zoning Ordinance Section 593: Regulation of Residential Occupation of Camper Vehicles, Recreational Vehicles and Trailers of any Kind, Located on Private Property within the Village of Mechanicsburg**

Whereas the Village Council has become aware of incidents where people have been residing for extended periods of time in camper vehicles, Recreational vehicles (RV's) or trailers located on private property within the Village of Mechanicsburg; and

Whereas such long-term vehicle residence creates noise issues, creates potential health and sanitation issues, and detracts from the ~~ambience~~ of the neighborhood; and

Whereas the Mechanicsburg Village Council believes that legislation to regulate residential occupancy of camper vehicles, recreational vehicles (RV's) or trailers of any kind, would be beneficial to the public health, safety, and welfare of the citizens of Mechanicsburg:

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF MECHANICSBURG, IN CHAMPAIGN COUNTY, IN THE STATE OF OHIO, THAT

Section I: Mechanicsburg Village Zoning Ordinance 593, as shown on Exhibit I, shall become part of the Mechanicsburg Zoning Code.

Section II: The above modification shall be adopted and incorporated into the existing Mechanicsburg Village Zoning Ordinance , and shall go into effect thirty ( 30 ) days after passage.

This Ordinance was passed at a regular meeting held \_\_\_\_\_, 2018 after three readings and after a public hearing held on Monday \_\_\_\_\_, 2018.

**First Reading:** \_\_\_\_\_

**Second Reading:** \_\_\_\_\_

**Third Reading:** \_\_\_\_\_

**Vote:**    \_\_\_ yea    \_\_\_ nay    \_\_\_ abstain

**Date:** \_\_\_\_\_

\_\_\_\_\_  
Greg Kimball, *Mayor*

\_\_\_\_\_  
Charles E. Foss, *President of Council*

\_\_\_\_\_  
April Huggins-Davis, *Clerk of Council*

Summary Published : \_\_\_\_\_, 2018 and \_\_\_\_\_, 2018

## **EXHIBIT I**

### **§ Section 593: Regulation of Residential Occupancy of Campers, Recreational Vehicles, or Trailers of Any Kind, Located on Private Property within the Village of Mechanicsburg**

- 1. No person shall inhabit, or reside, or utilize the facilities inside, a camper, trailer, or recreational vehicle (RV) while it is located on private property within the municipal corporation limits of the Village of Mechanicsburg.**
- 2. A rebuttable presumption shall be established that a person inhabits or resides in a vehicle where any of the following conditions are met:**
  - a). A person is observed remaining continuously within such vehicle for a period exceeding 30 minutes at any time between 11:00 PM and 3:00 AM, or**
  - b). A person is observed cooking any edible substance inside such vehicle, or**
  - c). A person is observed, on at least 3 separate occasions over a 24 - 48 hour period, utilizing the cooking, sleeping, or other facilities contained in the vehicle, where the vehicle has not left the premises at any time during the period of observation.**

**ORDINANCE NO. 18- 13**

**New Traffic Code Section 452.15 : Prohibition Against Parking of Camper Vehicles, Recreational Vehicles and Trailers of any Kind, on Public Streets within the Village of Mechanicsburg**

Whereas the Village Council has become aware of incidents where people have been parking camper vehicles, Recreational vehicles (RV's) or trailers on public streets within the Village of Mechanicsburg; and

Whereas parking of such vehicles creates parking issues, creates potential safety and health issues, and detracts from the ambience of the neighborhood; and

Whereas the Mechanicsburg Village Council believes that legislation to prohibit parking of camper vehicles, recreational vehicles (RV's) or trailers of any kind, on public streets within the Village of Mechanicsburg, would be beneficial to the public health, safety, and welfare of the citizens of Mechanicsburg:

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF MECHANICSBURG, IN CHAMPAIGN COUNTY, IN THE STATE OF OHIO, THAT

Section I: Section 452.15, as shown on Exhibit B, shall become part of the Traffic Code section of the Mechanicsburg Municipal Code.

Section II: The above modification shall be adopted and incorporated into the existing Mechanicsburg Municipal Code, and shall go into effect thirty ( 30 ) days after passage.

This Ordinance was passed at a regular meeting held OCT. 1, \_\_\_\_\_, 2018 after three readings.

First Reading: AUG 20, 2018

Second Reading: SEPT. 10, 2018

Third Reading: SEPT. 17, 2018

Vote: 4 yea 1 nay \_\_\_ abstain

Date: OCT 1, 2018

  
\_\_\_\_\_  
Greg Kimball, Mayor

  
\_\_\_\_\_  
Charles E. Foss, President of Council

  
\_\_\_\_\_  
April Huggins-Davis, Clerk of Council

Summary Published : \_\_\_\_\_, 2018 and \_\_\_\_\_, 2018

## **EXHIBIT B**

### **New Traffic Code Section § 452.15 : Prohibition Against Parking of Camper Vehicles, Recreational Vehicles, Semi Trailers, and Trailers of any Kind, on Public Streets within the Village of Mechanicsburg**

- 1. Deficient Vehicles – 24 hours : No camper, recreational vehicle (RV), Semi Trailer, or trailer of any kind, shall be parked on a public highway, street, or alley within the municipal corporation limits of the Village of Mechanicsburg, for a period longer than 24 hours if such vehicle meets any of the following conditions:**
  - a). vehicle is not in a condition to immediately be safely driven or to immediately be attached for safe towing on a public road, or**
  - b). vehicle is in such a condition of disrepair or deterioration that non-external parts of said vehicle are readily observable to a person viewing the vehicle from the exterior, where such viewing is not through a door, window, or other constructed structural or ventilation opening.**
- 2. Non-Deficient Vehicles: No camper, recreational vehicle (RV), semi trailer, or trailer of any kind, shall be parked on a public highway, street, or alley within the municipal corporation limits of the Village of Mechanicsburg, for a period longer than 48 hours.**