

used 1st read  
2nd read 2-14-90  
3rd read 3/12/90  
4/19/90

ORDINANCE NO. 1-90

AN ORDINANCE AMENDING SECTION 535.06 OF CHAPTER 549 OF THE GENERAL CODE OF NELSONVILLE.

Be it ordained by the Council of the City of Nelsonville that Section 535.06 of Chapter 535 of the General Code of the City of Nelsonville, Ohio be amended to read as follows:

Section 1. The notice of violation in said ordinance in said section (C) shall conclude as follows: "to cease such violation within five (5) days of such notice."

Section 2. That Section (D) shall read as follows: In the event that the owner, occupant or person having charge of said premises, fails to cause such violation to cease within five (5) days of said notice, said person shall be deemed guilty of violation of this ordinance and shall be subject to the penalty provided hereinafter. Each separate day in which the offense continues shall be deemed a separate offense.

(E) 1. Notwithstanding the provisions of this Ordinance, it shall not be unlawful for any person or persons to purchase used building materials and place or store them on any lot, lots, parts of lots, or parcels of lots, when such materials are to be used by the purchaser or owner in construction on the same lot owned or controlled by such persons providing that such materials shall remain on said lot or part of lot for a period of more than thirty (30) days unless the construction or operation plan for the use of said materials are used or commenced; and provided further that such materials are used or consumed in the construction or removed from the premises within 120 days from the time said materials were first placed on the lot, lots, or parts of lots. It shall be unlawful however, for any person or persons to move any such used building materials so stored and placed to another location within the City for the purpose of avoiding the intent of this Section unless such materials are used within ten (10) days at the lot or lots to which they removed for the construction of a building or buildings for which permit has been properly issued by the City of Nelsonville.

2. In the event that such building materials are permitted to remain on the premises beyond the period set forth in the Section immediately preceding, then the Mayor shall cause notice to be given as foresaid in paragraph C hereof.

(F) Whoever violates this section is guilty of a minor misdemeanor, and if the offender has been convicted of a second violation of this section within any one year, the offender shall be guilty of a misdemeanor of the fourth degree.

(G) The notice provided for hereinabove shall be a notice in writing signed by the Mayor or his Safety and Service Director and shall be served by the police department upon the person in violation of this act. If at the conclusion of five (5) days compliance has not been had with the provisions hereof, a citation shall issue directing the person alledged in violation to appear in the Mayor's court.

This ordinance shall take effect and be in force from and after the earliest period allowed by law.

James A. Harl  
PRESIDENT OF COUNCIL

PASSED: ~~4-9~~ 4-9 1990

ATTEST:  
Catherine L. Huggin  
CLERK OF COUNCIL

APPROVED:  
Raymond L. Long  
MAYOR

DATE: ~~4-9~~ 4-9 90



100

100

100



Richard F. Celeste/Governor

# OHIO DEPARTMENT OF TRANSPORTATION

25 South Front Street  
P.O. Box 899  
Columbus, Ohio 43216-0899

P.O. Box 658  
Marietta, Ohio 45750

January 25, 1990

Mayor Reginald T. Levering  
City of Nelsonville  
29 Fayette Street  
Nelsonville, Ohio 45764

Dear Mayor Levering:

Enclosed please find an agreement covering the use of US Route 33 and State Route 78 as a detour for the bridge replacement on Athens County State Route 13 at the 4.59 Mile Marker. The closure will require a detour for a maximum period of 30 days.

Please review the detour agreement and present to the City Council for necessary action.

If there are any questions regarding this matter, please advise.

Very truly yours,

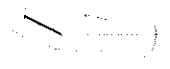
Joseph L. Leach, P.E.  
District Deputy Director

Donald E. Johnson, P.E.  
District Maintenance Engineer

JLL/DEJ/pa

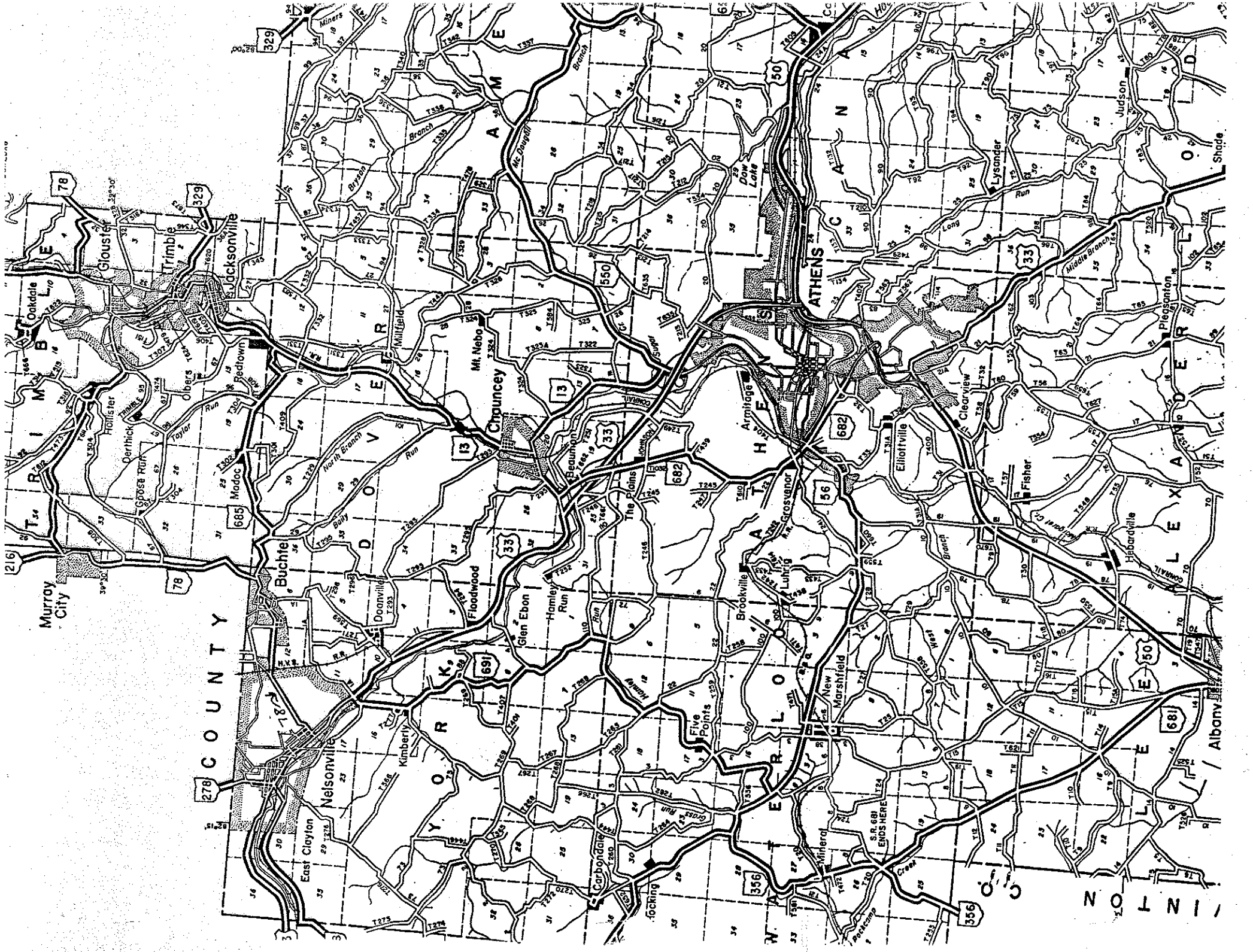
Enclosures

cc: H. Gifford  
file









10/10/10

10/10/10

10/10/10



NAME OF STREET \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

ROUTE NO. \_\_\_\_\_ State Route No. 78

DATE \_\_\_\_\_

An emergency ordinance enacted by the City of Nelsonville,  
Athens County, Ohio, in the matter of the hereinafter described improvement  
 and to request cooperation by the Director of Transportation.

WHEREAS, the City has identified the need for and proposes the improvement of a portion of the  
 public highway which is described as follows: the resurfacing of State Route No. 78  
 beginning at U.S. Route No. 33 and ending 1.58 miles East of U.S. Route No. 33.

said portion of highway within the municipal corporation limits being hereinafter referred to  
 as the improvement, and

WHEREAS, the City further desires cooperation from the Director of Transportation in the  
 planning, design and construction of said improvement.

NOW THEREFORE, Be it ordained by the Council of the City of Nelsonville,  
 Ohio:

#### SECTION I (Cooperation)

That said City hereby requests the cooperation of the Director of Transportation in the  
 cost of the above described improvement as follows: The city hereby agrees to participate  
 in the cost of the improvement by paying three percent of the project costs for that  
 portion of the project within the corporation limits.

#### SECTION II (Consent)

That it is declared to be in the public interest that the consent of said City be and  
 such consent is hereby given to the Director of Transportation to construct the above described  
 improvement, in accordance with plans, specifications and estimates as approved by the Director.

#### SECTION III (Authority to Sign)

MAYOR \_\_\_\_\_

of said City. is hereby empowered



This ordinance is hereby declared to be an emergency measure by reason of the need for expediting highway improvements to promote highway safety, and provided it receives the affirmative vote of two-thirds of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Passed: \_\_\_\_\_, 19 90 .

Attest: \_\_\_\_\_  
Clerk

\_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_

\_\_\_\_\_  
President of Council

\*\*\*\*\*

CERTIFICATE OF COPY

STATE OF OHIO

City of Nelsonville \_\_\_\_\_ SS

County Athens \_\_\_\_\_

I, \_\_\_\_\_, as Clerk of the City of Nelsonville, Ohio, do hereby certify that the foregoing is a true and correct copy of ordinance adopted by the legislative Authority of the said City on the \_\_\_\_\_ day of \_\_\_\_\_, 19 90, that the publications of such ordinance has been made and certified of record according to law; that no proceedings looking to a referendum upon such ordinance have been taken; and that such ordinance and certificate of publication thereof are of record in Ordinance Record No. \_\_\_\_\_, Page \_\_\_\_\_.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, this \_\_\_\_\_ day of \_\_\_\_\_, 19 90.

(SEAL)

\_\_\_\_\_  
Clerk

City of Nelsonville, Ohio.

\*\*\*\*\*

The foregoing is accepted as a basis for proceeding with the improvement herein described.

For the City of Nelsonville, Ohio.

Attest: \_\_\_\_\_

\_\_\_\_\_  
Contractual Officer, Date \_\_\_\_\_



ORDINANCE NO. 4-90

AN ORDINANCE AMENDING SECTION 529.02 OF CHAPTER 529 OF THE LIQUOR CONTROL ORDINANCES OF THE CITY OF NELSONVILLE AND TO DECLARE AN EMERGENCY

BT IT ORDAINED THAT SECTION 529.02 OF THE ORDINANCES OF THE CITY OF NELSONVILLE BE, AND IT HEREBY IS, AMENDED TO READ AS FOLLOWS:

529.02 SALES TO MINORS: PROHIBITIONS AND MISREPRESENTATIONS.

(A) No person shall sell intoxicating liquor or beer to a person under the age of twenty-one years, or buy intoxicating liquor or beer for, or furnish it to, a person under the age of twenty-one years, unless given by a physician in the regular line of his practice, or by a parent or legal guardian. In proceedings before the Liquor Control Commission, no permit holder, his employee or agent charged with a violation of this section shall, for the same offense, be charged with a violation of O.R.C. 4301.22 (A). O.R.C. 4301.69)

(B) No person under the age of twenty-one years shall purchase intoxicating liquor or beer. (O.R.C. 4301.63)

(C) No person under the age of twenty-one years shall order, pay for, share the cost of, or attempt to purchase any beer or intoxicating liquor, or consume any beer or intoxicating liquor, either from a sealed or unsealed container or by the glass or by the drink, in any public place except as provided in subsection (a) hereof. (O.R.C. 4301.631)

(D) No person under the age of twenty-one years shall order, pay, for, share the cost of, or attempt to purchase any intoxicating liquor or beer or consume any intoxicating liquor, either from a sealed or unsealed container or by the glass or by the drink, except as provided in subsection (a) hereof. (O.R.C. 4301.632)

(E) No person shall knowingly furnish any false information as to the name, age or other identification of any person under twenty-one years of age for the purpose of obtaining or with the intent to obtain beer or intoxicating liquor for a person under twenty-one years of age, or intoxicating liquor or beer for a person under twenty-one years of age, by purchase or as a gift. (O.R.C. 4301.633)

(F) No person under the age of twenty-one years shall knowingly show or give false information concerning his name, age or other identification for the purpose of purchasing or otherwise obtaining beer or intoxicating liquor in any place in this State where beer or intoxicating liquor is sold under a permit issued by the Ohio Department of Liquor Control or sold by such Department. (O.R.C. 4301.634)

(G) No person under the age of twenty-one years shall knowingly show or give false information concerning his name, age or other identification for the purchase of purchasing or otherwise obtaining intoxicating liquor in any place in this State where intoxicating liquor is sold under a permit issued by the Ohio Department of Liquor Control or sold by such Department (O.R.C. 4301.635)



SECTION 2. The foregoing amendment, amending said section to conform the section with State Law now in force by prohibiting the use of beer to persons under twenty-one years of age and this being a matter of grave concern as regards the health and safety of its citizens and others shall go into force immediately upon its adoption if approved by two-thirds of all members elected to Council concurring, otherwise at the earliest period permitted by law.

James A. Hart  
PRESIDENT OF COUNCIL

PASSED: This            day of            1990

ATTEST: Catherine S. Giffen  
Clerk of Council

APPROVED: 5-14 1990

Raymond Lawrence  
Mayor





ORDINANCE NO.

5-90

AN ORDINANCE PROVIDING PARKING CONTROL, OFF STREET PARKING AND TO DECLARE AN EMERGENCY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NELSONVILLE AS OF THE EFFECTIVE DATE OF THIS ORDINANCE THE FOLLOWING RULES SHALL APPLY TO OFFSTREET PARKING AND NEW BUILDINGS:

Section 1. No new buildings shall be erected in the City of Nelsonville and no existing buildings may be enlarged or moved onto any lot unless there is provided on the same lot or within six hundred feet thereof, offstreet parking in accordance with the standards hereinafter established.

Section 2. Each parking space shall consist of an open or closed area, accessible from a street or alley, with not less than one hundred and eighty square feet of standing space, nine feet by twenty feet, exclusive of drive and other access ways and of necessary maneuvering area for the parking of a motor vehicle of owners, occupants, employees and customers or tenants.

Section 3. Offstreet parking spaces shall be provided in connection with the erection or enlargement of any building use as follows:

(a) for one family and two family dwellings. One space per family unit.

(b) for three family or more dwellings. One space per family up to four dwelling units and four spaces for each five dwelling units thereafter.

(c) for tourist homes, residences used as dormitories or motels. One space for each guest or sleeping room place one space for each two employees.

(d) for medical, dental, legal, architectural and other similar offices or clinics. One space for each professional practitioner, one space for each two employees, including nurses, and two spaces per professional practitioner for parking by patients or clients.

(e) for restaurants, nightclubs, tea rooms, lunch counters, cafeterias and other similar establishments. One space for each four employees, plus such additional space for patron parking as may seem necessary.

Section 4. No person shall violate the foregoing conditions and in the event of a violation, shall be fined One Hundred Dollars per violation per day.

Section 5. This Ordinance is an emergency Ordinance necessary for the public peace, health and safety for the reason that residential properties are rapidly being converted into commercial properties and it is impossible for parking to be had unless restrictions be placed thereupon. This Ordinance shall take effect forthwith upon its adoption and signed by the Mayor providing 2/3 of all members elected to council concur.

*Larry L. Moul*



6-90

NAME OF STREET \_\_\_\_\_

ORDINANCE NO. 6-90

ROUTE NO. \_\_\_\_\_ State Route No. 78

DATE 6-11-90

An emergency ordinance enacted by the City of Nelsonville \_\_\_\_\_  
Athens \_\_\_\_\_ County, Ohio, in the matter of the hereinafter described improvement  
and to request cooperation by the Director of Transportation.

WHEREAS, the City has identified the need for and proposes the improvement of a portion of the public highway which is described as follows:

The repair of the bridge on State Route No. 78 located over Monday Creek approximately 0.38 mile west of the eastern corporation limit.

said portion of highway within the municipal corporation limits being hereinafter referred to as the improvement, and

WHEREAS, the City further desires cooperation from the Director of Transportation in the planning, design and construction of said improvement.

NOW THEREFORE, Be it ordained by the Council of the City of Nelsonville \_\_\_\_\_, Ohio:

SECTION I (Cooperation)

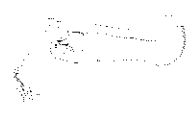
That said City hereby requests the cooperation of the Director of Transportation in the cost of the above described improvement as follows:

The city is to pay \$0.00.

SECTION II (Consent)

That it is declared to be in the public interest that the consent of said City be and such consent is hereby given to the Director of Transportation to construct the above described improvement, in accordance with plans, specifications and estimates as approved by the Director.

SECTION III (Authority to Sign)



ORDINANCE NO. 7-90


AN ORDINANCE DIRECTING THE SAFETY AND SERVICE DIRECTOR TO ENTER INTO A CONTRACT TO PURCHASE EQUIPMENT, TO APPROPRIATE MONEY AND TO DECLARE AN EMERGENCY

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NELSONVILLE, STATE OF OHIO:

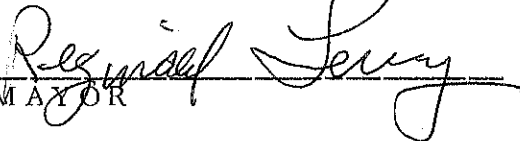
Section 1. That the Safety and Service Director of the City of Nelsonville be and he hereby is authorized and directed to enter into a contract for the acquisition of a radio and a light bar in accordance with the plans and specifications on file in his office.

Section 2. That the sum of Three Thousand Dollars (\$3,000.00) be and the same hereby is appropriated from the Capital Improvement Fund to pay the cost thereof.


Section 3. For the reason that it is desired to have this equipment for use by the Police Department at the earliest possible time this Ordinance is declared to be an emergency Ordinance necessary for the public peace, health and safety for the reason that it is vital police equipment, and necessary for the use of other equipment and shall take effect immediately upon its passage if approved by 2/3 of all members elected to Council concurring, otherwise at the earliest period permitted by law.

  
\_\_\_\_\_  
PRESIDENT OF COUNCIL

APPROVED:

  
\_\_\_\_\_  
MAYOR

ATTEST:

  
\_\_\_\_\_  
CLERK OF COUNCIL

PASSED: This 25 day of June 1990



ORDINANCE NO. 8-90

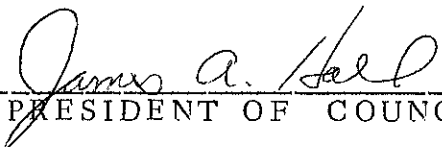
AN ORDINANCE AUTHORIZING THE SAFETY AND SERVICE DIRECTOR TO ENTER INTO A CONTRACT AND TO APPROPRIATE MONEY AND TO DECLARE AN EMERGENCY

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NELSONVILLE, STATE OF OHIO:

SECTION 1. That the Director of Public Service be and he hereby is authorized and directed to enter into a contract for the acquisition of a fire truck (pumper) in accordance with the specifications therefor on file in the office of the Director of Public Service.

SECTION 2. That the sum of One Hundred Thirty-Eight Thousand Seven Hundred and Fifty-Eight Dollars (\$138,758.00) be and the same is hereby appropriated from the Fire Levy Fund to pay the cost thereof.

SECTION 3. For the reason that it is desired to have the equipment hereinabove set forth at the earliest possible time to control insurance rates and safeguard the City, this Ordinance is declared to be an emergency Ordinance necessary for the public peace, health and safety and shall take effect forthwith if approved by 2/3 of all members elected to Council concurring, otherwise at the earliest period permitted by law.

  
PRESIDENT OF COUNCIL

APPROVED:

  
MAYOR

ATTEST:

  
CLERK OF COUNCIL

PASSED: this 25 day of June 1990





ORDINANCE NO. 9-90

AN ORDINANCE DETERMINING IT DESIRABLE AND NECESSARY FOR THE CITY OF NELSONVILLE TO ACQUIRE REAL ESTATE, TO MAKE PROVISION THEREFORE AND TO DECLARE AN EMERGENCY

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NELSONVILLE, OHIO:

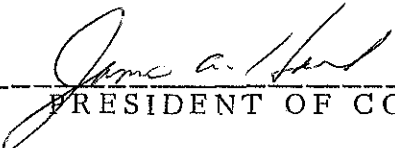
SECTION 1. That it is desirable for it to obtain the parcel of real estate lying to the ~~WEST~~<sup>EAST</sup> of the present City property containing the City offices and firetrucks. Said acquisition is made necessary and desirable for the reason that it enables full use to be made of all municipal properties and permits for the expansion which must of necessity take place in the future.

SECTION 2. That the Safety and Service Director be and he hereby is authorized and directed to enter into a contract with the owner of the real estate aforesaid (In-Lot 117 and ~~West~~<sup>EAST</sup> 41.25 x 115 ft of Lot 118; Volume 7, Page 553); that he do so at the earliest possible time and make arrangements with the Auditor to procure the purchase money for said property, for which purpose \$90,000.00 is appropriated from the Sewer Fund.

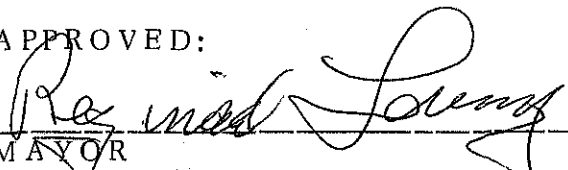
SECTION 3. That the Auditor and Safety Service Director are hereby authorized and directed to make such arrangements to take title to said property and are authorized to do such things as may be necessary and proper to procure the real estate aforesaid.

SECTION 4. This Ordinance is declared to be an emergency Ordinance necessary for the public peace, health and safety for the reason that the real estate aforesaid is necessary to the expansion of its several departments of the City of Nelsonville and to its orderly growth and said property has not been on the market for many years and it is desirable that the opportunity not be wasted to acquire said property.

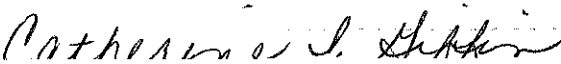
SECTION 5. For the reasons aforesaid this Ordinance is declared to be an emergency Ordinance necessary for the public peace, health and safety and welfare and benefit of the citizens of Nelsonville and shall take effect forthwith upon its passage if approved by 2/3 of all members elected thereto concurring, otherwise at the earliest period permitted by law.

  
RESIDENT OF COUNCIL

APPROVED:

  
MAYOR

ATTEST:





ORDINANCE NO. 10-90

ORDINANCE FOR SALE OF USED POLICE CRUISER


AN ORDINANCE AUTHORIZING THE SAFETY AND SERVICE DIRECTOR TO ADVERTISE AND ACCEPT SEALED BIDS TO DISPOSE OF AN UNNEEDED CRUISER

SECTION 1. Be it ordained that the Safety and Service Director of the City of Nelsonville is hereby directed to advertise and in response thereto accept sealed bids for the purchase of the cruiser presently no longer needed for police purposes.

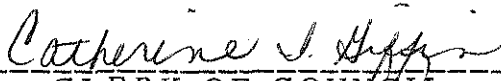
SECTION 2. Said bids will be received until 12:00 o'clock noon October 10th, 1990, at the City Building, 29 Fayette Street, Nelsonville, Ohio, at which time said bids will be opened and award of the bid be made.

SECTION 3. The Safety and Service Director is hereby authorized and empowered to accept any and all bids or to reject any and all bids.

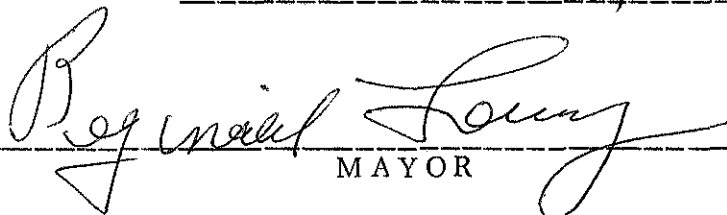
SECTION 4. This Ordinance shall take effect and be in force from and after the earliest period permitted by law.

  
PRESIDENT OF COUNCIL

PASSED; This 15<sup>th</sup> day of September 1990

ATTEST:   
CLERK OF COUNCIL

APPROVED: SEPT. 10, 1990

  
MAYOR



PASSED 1<sup>ST</sup> READING

ORDINANCE NO. 11-90

AN ORDINANCE VACATING A PORTION OF THE EAST END OF THE DEAD END ALLEY LEADING FROM HOPKINS STREET

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NELSONVILLE, STATE OF OHIO:

SECTION 1. This Council finds that petitions signed by the owners of all of the property abutting upon the East end of the dead end alley extending from Hopkins Street to In-Lot 1292 have been presented to Council praying that said street between the points named hereinafter be vacated.

SECTION 2. Beginning at the SW corner of In-Lot 1271; thence N along the East line of In-Lot 1271 extended to the SE corner of In-Lot 1272; thence East along the S line of 1272 to the SW corner of said lot; thence S along the West line of In-Lot 1271 extended and thence E along the S line of 1271 to the point of beginning.

SECTION 3. Council further finds that there is good cause for such vacation of said street as prayed for and that vacation of said street will not be detrimental to the general interests and ought to be made.

SECTION 4. The Safety and Service Director is hereby instructed to prepare a vacation plat of said vacated street and the Clerk of Council is instructed to indorse upon such plat the action of this Council in vacating such portion of the street and to cause said plat to be recorded in the Office of the Recorder of Athens County, Ohio.

SECTION 5. This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

James A. Harl  
President of Council

PASSED: this                      day of December 1990

ATTEST: \_\_\_\_\_  
Clerk of Council

APPROVED: \_\_\_\_\_ 1990

\_\_\_\_\_  
MAYOR

