

VILLAGE OF GREENWICH

Wesley E. Sallee, MAYOR

MUNICIPAL BUILDING

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EXECUTIVE ORDER 2017-EO-01

THE ESTABLISHMENT OF TRUCK/TRAILER PARKING PERMIT APPLICATION FEE REQUIRED BY GREENWICH CODE SECTION 452.16(c) (2)

WHEREAS, Ordinance No.: 2017-04 passed on the 18th day of April, 2017 by Greenwich Village Council amended Chapter 452 of the Greenwich Code adding Section 452.16 providing for residential truck/trailer parking with a permit; and

WHEREAS, the newly enacted Greenwich Code Section 452.16(c) (2) provides that the application fee shall be set by Executive Order of the Mayor with the majority concurrence of council.

NOW THEREFORE, I, **Wesley Sallee**, Mayor of the Village of Greenwich, Huron County, Ohio hereby order, declare and direct this Executive Order:

1. Pursuant to Section 452.16(c)(2) of the Greenwich Code, the truck/trailer parking permit application fee shall be:

\$ 50.00 per Truck.

\$ 50.00 per Trailer.

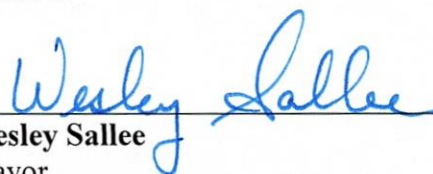
2. This Executive Order is subject to the majority concurrence of council as provided by Greenwich Code Section 452.16(c) (2).

Approved by council this 16th day of May, 2017.

This EXECUTIVE ORDER shall be in full force and effect after my signature is affixed to this document.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Village of Greenwich, Huron County, Ohio to be hereto affixed this 16th day of May, 2017.

SIGNED



Wesley Sallee
Mayor
Village of Greenwich
Huron County, Ohio



Other: _____

VILLAGE OF GREENWICH, OHIO
ORDINANCE NO. 2017-04

AN ORDINANCE TO AMEND CHAPTER 452 ADDING SECTION 452.16 PROVIDING FOR RESIDENTIAL TRUCK/TRAILER PARKING WITH A PERMIT.

WHEREAS, Greenwich Village Council has explored the possibility of permitting truck parking in residential areas of the village with a permit; and

WHEREAS, Greenwich Village Council offered public hearings on the issue in open sessions of council seeking public input; and

WHEREAS, after careful consideration of all information, Greenwich Village Council and the Mayor of the Village of Greenwich believe it in the best interests of the residents of the Village of Greenwich that truck parking be permitted with a permit.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF GREENWICH, THAT:

Section 1: That Chapter 452 of the Village of Greenwich Codified Code be amended by adding Section 452.16 as follows:

452.16 RESIDENTIAL TRUCK/TRAILER PARKING WITH PERMIT.

(a) DEFINITIONS.

For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

- (1) "Bus" shall have the same meaning as Section 402.06.
- (2) "Commercial tractor truck" shall have the same meaning as Section 402.08.
- (3) "Parking," shall have the same meaning as Section 402.23.
- (4) "Pole trailer" shall have the same meaning as Section 402.26.
- (5) "Private road or driveway" shall have the same meaning as Section 402.28.
- (6) "Residential zone" shall mean those districts classified and regulated as R (Residential) or MH (Manufactured Home) district.
- (7) "Semitrailer" shall have the same meaning as Section 402.38.
- (8) "Trailer" shall have the same meaning as Section 402.50.
- (9) "Tree lawn" shall have the same meaning as Section 1026.02(c).
- (10) "Truck" shall have the same meaning as Section 402.51.

(b) PROHIBITIONS

- (1) No person shall park, or permit to remain parked a commercial tractor, a truck of more than one ton capacity, bus, trailer, semitrailer, pole trailer or moving van on any street within a residential zone of the village.
- (2) No person shall park, or permit to remain parked a commercial tractor, a truck of more than one ton capacity, bus, trailer, semitrailer, pole trailer or moving van on any tree lawn within a residential zone of the village.
- (3) No person shall park, or permit to remain parked a commercial tractor, a truck of more than one ton capacity, bus, trailer, semitrailer, pole trailer or moving van on any private property within a residential zone of the village without first obtaining a truck parking permit.

(4) No person shall perform, or permit to be performed any service, maintenance or Repairs to any commercial tractor, a truck of more than one ton capacity, bus, Trailer, semitrailer, pole trailer or moving van parked in a residential zone.

(5) No person shall park a Semi Truck/Semi-trailer Combination on any residential property unless the property is adjacent to a posted truck route.

(c) TRUCK PARKING PERMIT

(1) APPLICATION. Applications for a truck parking permit shall be submitted by owner Of the commercial tractor, a truck of more than one ton capacity, bus, Trailer, semitrailer, pole trailer or moving van to be parked in a residential zone And shall include:

- A. Applicants name, address and phone number, and
- B. Proof of applicant valid license to operate truck; and
- C. Name address and phone number of owner of property where truck will be parked if different than applicant; and
- D. Make, model and color of truck to be parked; and
- E. Valid registration number of truck to be parked; and
- F. Proof of insurance for truck to be parked; and
- G. Application fee; and
- H. Signature of applicant and, if different, property owner.

(2) APPLICATION FEE. The application fee shall be set by Executive Order of the Mayor with the majority concurrence of council.

(3) NOTICE TO CONTIGUOUS PROPERTY OF RIGHT TO OBJECT

Upon receipt of application, the utility clerk shall cause to be served notice upon all Property contiguous to the location proposed in the application for truck parking permit. Such notice shall be served by personal service upon the tenant or owner by:

- A. Mailing the notice to the owner or tenant by regular US mail;
- B. Personal delivery to the owner or tenant.
- C. Posting the notice upon property, in a conspicuous place.

(4) OBJECTIONS. Contiguous property owners shall have 14 days from the date of the Notice to submit written objections to the Mayor. Contiguous property owners shall have Standing to appeal a decision of the Mayor granting a permit to the BZA.

(5) POLICE VERIFICATION. Upon receipt of completed written application and application fee, the application shall be forwarded to the chief of police for review and verification.

Upon completion of the review and verification by the chief of police, the application and verification/investigation results shall be forwarded to the Mayor.

(6) APPROVAL OR DENIAL BY MAYOR. Upon receipt of completed written application and results of verification by chief of police, the Mayor may approve or deny the permit.

(A)APPLICATION APPROVAL. Upon approval, the Mayor shall issue the applicant a permit

Placard to be displayed from the rear view mirror or otherwise placed upon the truck Clearly visible in a conspicuous location.

(B) GROUNDS FOR DENIAL OF PERMIT. The Mayor shall deny any application for a permit

For the following reasons:

1. Application is incomplete.
2. Truck is not registered.
3. Owner does not have a valid operator's license required for the operation of the truck.
4. Truck is uninsured.
5. Failure of applicant to cooperate with permit process

(C)The Mayor may deny any application for the following reasons:

1. Applicant has had previous permit revoked within five years
2. Objections by contiguous property owners or tenants.
3. Parking location upon private road or driveway is unimproved.
4. Roadway is not load rated.

(7) DURATION OF PERMIT. Permits shall be granted for no more than one year, renewable in increments of one year.

(8) GROUNDS FOR REVOCATION OF PERMIT

The Mayor may revoke a permit for the parking of a commercial tractor truck for good cause including but not limited to the following: Complaints of excessive noise, fumes, or odor, obstruction of view, expiration of registration, lapse of insurance, disrepair, expiration or suspension of operator's license, failure to display permit, and/or violations of village code.

(9) DISPLAY OF PERMIT

No permit holder shall fail to display a valid permit. Permits shall be displayed from the rear view mirror or otherwise placed upon the truck clearly visible in a conspicuous location.

(10) ONLY ONE PERMIT PER LOT. Only one truck parking permit may be granted per residential zone lot.

(11) RENEWAL. Truck parking permits may be renewed by the Mayor for a period of one year with the concurrence of counsel. The renewal fee shall be set by Executive Order of the Mayor with the majority concurrence of council.

(d) AFFIRMATIVE DEFENSE. DELIVERY.

It shall be an affirmative defense to a violation of subsection (b) hereof that the truck was at the time of the alleged violation being used for emergency purposes or delivering goods or necessary services.

(e) TOWING OR REMOVAL FOR VIOLATIONS

The chief of police may order into storage any commercial tractor, a truck of more than three fourths ton capacity, bus, trailer, semitrailer, pole trailer or moving van parked in violation of this section pursuant to applicable sections of 452.055

(f) MOST DIRECT ROUTE.

No person shall fail to transport a commercial tractor, a truck of more than three fourths ton capacity, bus, trailer, semitrailer, pole trailer or moving van to the location authorized by permit on the most direct route when on any roadway not designated as a truck route.

(g) POLICE DEPARTMENT TO INVESTIGAT COMPLAINTS. The Greenwich Village Police department may investigate complaints arising from truck parking permits as it deems necessary.

(h) APPEAL. BOARD OF ZONING APPEALS 1260.06

1. The granting, denial or revocation of a permit may be appealed in writing by filing a notice of appeal to the Board of Zoning Appeals within seven (7) days by permit holder/applicant claiming to be adversely affected.

2. HEARING. The Board of Zoning Appeals shall hold a public hearing within 14 days from the receipt of the notice of appeal.

3. The Board of Zoning Appeals may uphold the permit, uphold the permit with additional condition(s), or rescind the permit.

(i) PENALTIES. Whoever violates this section is guilty of a minor misdemeanor. A separate offense shall be deemed committed each day during which a violation or noncompliance occurs or continues.

Section 2. OPEN MEETING. It is found and determined that all formal action of this public body concerning or relating to the passage of this Resolution/Ordinance were adopted in a public meeting open to the public at all times, and that all deliberations of the public body and any of its committees that resulted in such formal action, were in public meetings open to the public, in compliance with all legal requirements including all lawful ordinances and any applicable provisions of section 121.22 of the Ohio Revised Code.

WHEREFORE, this ORDINANCE shall be in full force and effect from and after the earliest period allowed by law.

AUTHENTICATION and ATTESTATION

(RC 731.20)

We hereby attest and affirm that Ordinance/Resolution No.: _____ received the necessary affirmative roll call votes required for passage by RC 731.17 on the _____ day of _____, 2017.

YEAS: _____ *NAYS:* _____ *ABSTAIN:* _____
731.17(A) (3)

MAYOR / PRESIDENT OF COUNCIL RC 733.24

CLERK OF COUNCIL

CERTIFICATE OF PUBLICATION
RC 731.24

I hereby certify that the above legislation was/will be published as required by RC 731.22 in the following Newspaper(s) of general

Circulation: _____

On the following date(s): _____

CLERK OF COUNCIL