

ORDINANCE 617-03-15

AN ORDINANCE AMENDING ORDINANCE 538-11-11 AND RESTRICTING THE USE OF WELLS AND CISTERNS WITHIN THE BOUNDARIES OF THE VILLAGE OF ROAMING SHORES

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Roaming Shores, Ohio:

Section 1. Section 1 of ordinance 538-11-11 is amended to read as follows:

a) The owner of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes situated within the Village and abutting on any street, alley or right of way in which there is now located or may in the future be located a public water line of the Village, is hereby required at his expense to connect such building or property to the public water line, provided that such public water line is within 100 feet of the property line.

b) No person, firm or corporation shall use any private water supply, including but not limited to a well, cistern or spring, to supply water for human consumption and human use inside a dwelling, building or structure. Water from a private water supply shall be used only for a geothermal heating system, outside a building, dwelling or structure or such other use approved by the authority having jurisdiction which shall not drain into the sanitary sewer system.

Section 2. The owner of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes situated within the Village and abutting on any street, alley or right of way in which there is now located or may in the future be located a public sanitary sewer of the Village, is hereby required at his expense to install suitable toilet facilities therein and to connect such facilities directly with the proper public sewer in accordance with the provisions of this chapter within ninety days after the date of official notice to do so, provided that such public sewer is within 100 feet of the property line.

Section 3. Any person or company that violates Sections 1 or 2, or which after having had their service disconnected for non-payment and still continues to use, or allow the use of such building for human occupancy, is guilty of a first degree misdemeanor punishable by no more than six months in jail or a \$1,000.00 fine.

Section 4. Section 4 of Ordinance 538-11-11 is amended to read as follows: Any building used for the purpose of human habitation, which is found to violate sections 1 or 2, shall be deemed a public nuisance. *[the remaining language is deleted, “The Village Administrator shall provide written notification to the owner so such premises of the violation and determination of public nuisance, and such owner shall have the right to appeal such finding to the Village Planning Commission.”]*

Section 5. Section 5 of Ordinance 538-11-11 is deleted. *[“The Village Planning Commission shall schedule a hearing on such determination of public nuisance and shall notify the owner no later than 10 days prior to the hearing. Upon conclusion of the hearing, and testimony, the Planning Commission may affirm or reverse the determination of public nuisance and may recommend to the Village Administrator possible remedial action if appropriate”]*

Section 6. This ordinance is necessary for the health, safety and welfare of the community out of concern that private water systems may contaminate the public water system risking the health and safety of the community, and shall be given retroactive effect

Section 7. That it is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 8. This ordinance is not an emergency and shall take effect thirty days after passage.

PASSED this _____ day of _____, 2015

John Ball, Mayor

ATTEST:

Leeann Moses, Fiscal Officer

Kyle B. Smith, Solicitor

I hereby certify that a summary of the foregoing ordinance was published by the Shore News on the ____ day of _____ 2015.

Village Clerk