

**ORDINANCE NO. 2025.027**

**ORDINANCE AMENDING THE VILLAGE OF BLANCHESTER ZONING  
ORDINANCE**

**WHEREAS**, the Village of Blanchester passed Ordinance No. 90.017 to establish the zoning plan for the Village of Blanchester; and

**WHEREAS**, the plan proposed in Ordinance No. 90.017 is no longer in the best interest of the Village of Blanchester;

**WHEREAS**, the Village of Blanchester desires to amend Ordinance No. 90.017 pursuant to Ohio Revised Code Section 731.19; and

**NOW THEREFORE BE IT RESOLVED**, by the Council of the Village of Blanchester, Clinton County, Ohio that:

**SECTION 1.**

Ordinance No. 90.017, titled “Zoning Ordinance,” is hereby amended as shown in the attached Exhibit A.

**SECTION 2.**

The existing Ordinances No. 90.017, No. 95.016, No. 2002.003, No. 2011.020, No. 2015.027, 2016.016, 2017.022, 2020.032 are hereby repealed.

**SECTION 3.**

It is 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 Council, and that all deliberations of the Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

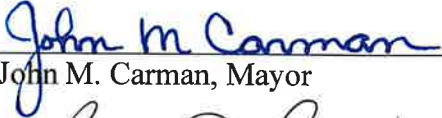
**SECTION 4.**

This Ordinance shall be declared an emergency for necessity of health, safety and welfare of the citizens of the Village of Blanchester and shall be effective on the earliest date allowed by law. The reason for the emergency is to ensure the accurate enforcement of the Village’s Zoning Ordinance.

Council member Mr. Hill moved to adopt this Ordinance, and Mr. Hopkins seconded the motion, and the roll call being called upon its adoption, the vote was as follows:

Ms. Brooker- Yes  
Mr. Garner- Absent  
Mr. Hill- Yes  
Mr. Hopkins- Yes  
Ms. Lewis- Yes  
Mr. Parks- Absent

Adopted this 29th day of December, 2025.

  
\_\_\_\_\_  
John M. Carman, Mayor

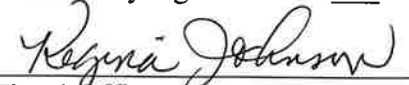
  
\_\_\_\_\_  
Attest: Regina Johnson, Fiscal Officer

Fiscal Officer's Certificate:

The State of Ohio, County of Clinton, ss:

I, Regina Johnson, Fiscal Officer of the Village of Blanchester, County of Clinton, and in whose custody the files, journals, and records are required by the laws of the State of Ohio be kept, do hereby certify that the foregoing Ordinance is taken and copied from the original Ordinance now on file with the said Village, that the foregoing Ordinance on has been compared by me and the said original and the same is a true and correct copy thereof, and has been posted as required by law. This Ordinance has been duly published by posting in the following places: Blanchester Municipal Building, 318 E. Main Street, First National Bank, 121 E. Main Street, Blanchester Post Office, 115 S. Wright Street, Tom's Express Mart, 7529 Fairground Road, and at the Blanchester Public Library 110 N. Broadway Street, each for a period of fifteen (15) days commencing on the 31st day of December, 2025.

Witness my signature this 31 day of December, 2025.

  
\_\_\_\_\_  
Fiscal Officer of the Village of Blanchester, Clinton County, Ohio

**EXHIBIT A**

## Sec. 530 Private swimming pools, fences, signs and billboards around the same

### 1. Definitions

As used in this ordinance a "swimming pool" is a body of water of artificial construction used for swimming or recreational bathing, which is over 24 inches deep at any point and has more than 150 square feet of water surface area when filled to capacity.

### 2. Location, area, and height:

- A. No swimming pool or appurtenance shall be located nearer than ten feet to the side or rear line of the lot or parcel on which it is situated, or nearer to any street than a distance ten feet greater than the building setback line as fixed by the Zoning Ordinance. The area of the pool exclusive of decks, walks, and other appurtenances shall not exceed ten per cent of the area of the lot or parcel on which it is situated.
- B. The top of the walls, decks, or walks of any swimming pool shall not project more than two feet above the average finished grade of the pool site or portion of the lot immediately surrounding the pool, the boundaries of which portion extend twenty feet beyond the pool proper in each direction, except that where any side of the pool is less than twenty feet from any lot line, the difference between such distance and twenty feet shall be added to the required distance of said portion beyond the opposite side. In the event that, because of the unusual shape or grade of the lot, or the location or shape of the pool, the foregoing formula cannot be applied with reasonable results, the Code Enforcement Officer is empowered to fix the location of the pool site to be used in determining the maximum grade of the pool, in keeping with the results sought by the formula. In the event of dissatisfaction by any interested party with the determination of the Code Enforcement Officer, an appeal may be taken to the Planning Commission.
- C. No lights, diving boards, or other accessories shall project more than ten feet above the average grade of the pool site as determined under this section.

### 3. Fences

- A. Every swimming pool, including existing pools, shall be completely enclosed by a fence of sturdy construction not less than 45 inches in height measured from ground level, which shall be of such design and construction as to

effectually prevent a child from crawling or otherwise passing through or under the fence. Each gate in the fence shall be provided with a secure lock, and shall be kept locked at all times when the depth of the water in the pool exceeds 18 inches, unless the pool is in use or under the immediate observation of a responsible person. No part of any fence shall be located between the building setback line fixed by the Zoning Ordinance and the street on which the lot or parcel abuts.

- B. The Planning Commission is empowered to make exceptions to and modifications of the above requirement for fences as to existing pools, in cases in which, in the Commission's opinion, such requirements are not essential to safety and the enforcement thereof would work hardships on the owners.

4. Lights.

All lights used for illuminating the pool or surrounding areas shall be designed, located, and installed so as to confine the direct beams to the lot or parcel on which the pool is located, and so as not to constitute a nuisance or undue annoyance to occupants of abutting property.

5. Drainage.

Provisions shall be made for drainage of the pool into a public storm sewer where possible, unless there is a ditch or natural watercourse of sufficient size and gradient adjacent to the pool location to carry off the water satisfactorily. In which case, drainage may be into such ditch or watercourse. Permission must be obtained from the Code Enforcement Officer before the pool is drained in whole or in any substantial amount in order to prevent overloading the sewer or ditch in times of heavy rain. In no case shall the pool be drained, directly or indirectly, into any street.

6. Permits and operation of pools.

- A. No person shall locate, construct, install, remodel, or otherwise change any swimming pool or appurtenances without having first submitted an application and plans therefor to, and obtained a permit from, the Code Enforcement Officer. The fee for such permit which shall be collected by the Code Enforcement Officer shall be not less than \$ 15.00, and in the event of new construction shall be at the rate of \$25.00 for each 100 square feet of water surface area, or fraction thereof, of the pool proper.
- B. Such permit shall not be issued until the plans and specifications have been approved as to structural safety and compliance with this ordinance by the Code

Enforcement Officer, and such pool shall not be used until the construction has been approved by the Code Enforcement Officer.

- C. Every pool, including existing pools, shall be provided with a filtration system approved by the Board of Health.
- D. No person shall use or maintain any swimming pool in violation of this Ordinance or of any lawful order of the Code Enforcement Officer, or in violation of any regulation of the Board of Health of this village or any order of the Health Commissioner issued pursuant thereto.

**Sec. 535. Responsibility for construction, maintenance and repair of sidewalks and driveways**

The construction, maintenance and repair of all sidewalks and driveways within the Village shall be the responsibility of and shall be done at the expense of the person owning the lot fronting upon any street or alley where such improvements may be required to be made.

Where, in the interest of the Village, work is required to be done which may involve the reconstruction of an otherwise good sidewalk for other good and sufficient reason, the Village may perform such work and shall not bear the cost thereof. In addition, the Village may perform work in connection with sidewalk for the public utility regulated by the Public Utilities Commission of the State or a person holding a franchise from the Village, providing such public utility or person shall pay the cost thereof, including overhead.

1. Specifications and standards for driveways

A. Definitions. "Driveway" means and paved area constructed within the public right of way, connecting the paved public roadway with private property, for the purpose of providing access for motor vehicles to private property.

B. Construction Modification.

- a. The construction of all driveways shall conform to the standards and specifications established and on file in the Office of the Zoning Commissioner.
- b. If, at any time, it is found that the driveway provisions set forth here in are impracticable for a particular case, the Zoning Commissioner shall be authorized to modify the strict application of the same, so as to provide for the safety and convenience of the public, and at the same time to avoid undue hardships on the property owner.

2. Permits for sidewalks and driveways.

- A. No person shall remove, cut, construct or repair any sidewalk or driveway without first obtaining a permit therefore from the Zoning Commissioner. No charge will be made.
3. Required construction and repair.
- A. The Zoning Commissioner shall, from time to time, cause and inspection to be made of sidewalks and driveways through the Village. Should it be determined that initial construction is necessary or that sidewalks and/or driveways are so defective that they should be repaired, then such construction and/or repair shall be affected in the manner provided by Ohio Revised Code Section 729.
- B. If any person shall neglect or refuse to make any such improvements in accordance with the specifications, and within the time limited in such notice, Council may immediately proceed to have the same done, by contract, under the direction of the Zoning Commissioner, and shall assess the same upon such lot fronting on the street or alley where such improvement is made, and shall order the Clerk to certify, under her official seal, to the County Auditor, such unpaid assessment.
4. Required cleaning of sidewalks.

In the event that any owner, occupant or person having charge of property fails to remove snow or ice or otherwise keep clean the sidewalks abutting his /her premises as required under Section 723.01, Ohio Revised Code, and after having been notified by service of a notice or sending by Registered Mail a notice to the address of the property in question, the Street Supervisor, or his Agent, shall clean such sidewalks. and shall bill the costs thereof to the owner, occupant or person in charge. Upon failure of the property owner to pay such bill within thirty (30) days after billing, Council, by Resolution, shall cause the costs to be certified to the County Auditor, who shall place such costs upon the tax duplicate to be collected together with penalties allowed by law as other taxes are collects, and to be credited to the Village.

5. Rules and regulations

The Code Enforcement Officer, with the approval of Village Council, shall make and enforce such rules and regulations as he may deem necessary for the enforcement of the provisions hereof, and for the proper determination and collection of the fees and charges herein provided.

**Sec. 540 Sidewalk Obstructions**

This section applies to sidewalks with a width not less than eight (8) feet and located: on either side of Main Street from Wall Street east to Wright Street west; and on either side of Broadway Street from Center Street south to Fancy Street north hereinafter referred "Designated Sidewalks."

Now therefore, be it hereby Ordained by the Council that any and all obstructions upon the above Designated Sidewalks are hereby prohibited except as follows:

1. Establishments abutting the Designated Sidewalks (hereinafter "Qualifying Businesses") may apply for a permit from the Village Zoning Office for the placement of tables, chairs and benches used in conjunction with the business as follows:
  - A. Upon the grant of permit from the Village Zoning Department, the qualifying business may place not more than two tables (26) inches in diameter, with not more than two chairs at each table, on the sidewalk in front of their establishments with the tables abutting the external front wall of the business. The tables shall not extend more than twenty-eight (28) inches from the external front wall of the business and shall not be more than six (6) feet in length, this can include tables less than 6 feet but cannot exceed the 6 feet limit in length.
  - B. Upon the grant of permit from the Village Zoning Department, the qualifying business may place not more than two benches in front of the establishment with each bench abutting the external front wall of the business, said benches not to extend more than twenty-eight (28) inches from the front of the external wall of the business nor extend more than six (6) feet in length.
2. Qualifying business permit holders shall not otherwise obstruct the sidewalk or interfere with passers-by and shall be required to keep the sidewalk and surrounding areas free of trash and debris, with a trash can receptacle used during regular business hours.
3. Qualifying business permit holders shall be required to maintain premises and general commercial liability insurance in an amount not less than one (1) million dollars and must provide a certificate evidencing the same at the time of application and otherwise upon demand of the Village Zoning Department.

#### **Sec. 545 Awnings**

1. The Village Code Enforcement Officer shall be responsible for inspecting any awnings or over-hangs of any building within the Village to ensure its safety and secureness.
2. The Village Code Enforcement Officer shall have the authority to obtain structural assessments and other professional opinions to determine the safety of any awning or over-hang.
3. Once the Village Code Enforcement Officer makes a determination that an over-hang or awning is structurally unsafe and in need of removal or repair, the Village Code Enforcement Officer shall, at least thirty days prior to the removal or repair of any insecure, unsafe, or structurally defective awning or over-hang, the municipal corporation, or its agent pursuant to an agreement entered into under division (E) of section 715.261 of the Revised Code, shall give notice by certified mail of its intention with respect to such

removal or repair to the holders of legal or equitable liens of record upon the real property on which such building is located and to owners of record of such property.

4. The owners of record of such property or the holders of liens of record upon such property may enter into an agreement with the Village, to perform the removal or repair of the insecure, unsafe, or structurally defective building.
5. If an emergency exists, as determined by the Village Council, after notice of the emergency by the Code Enforcement Officer to Council, notice may be given other than by certified mail and less than thirty days prior to such removal or repair.
6. If for any reason notice is not given, the lien provided for in section 715.261 of the Revised Code as a result of such removal or repair is valid but shall be subordinate to any liens of prior record. If notice is provided in accordance with this section, a lien under section 715.261 of the Revised Code for such removal or repair is effective on the date the Village incurred expenses in such removal or repair.
7. Any person in receipt of notice of a violation of this Ordinance shall have 30 days to reach an agreement with the Village regarding the removal or repair of such awning or over-hang, except in an emergency situation as contemplated by section (5) herein above.
8. If an agreement is reached and the owner fixes or removes the dangerous awning or over-hang within 30 days of receiving a non-emergency citation under this Ordinance then no further action shall be taken against that person and no fine shall be levied.
9. In any other situation, whether it is by emergency or by the owner's refusal to correct the dangerous situation by removal or repair, then the Village shall cause such removal or repair to be done and the owner shall then owe the Village the costs of such endeavor, which shall be collected within 30 days of said repair or removal. If said costs are paid within the time no further action shall be taken against that person and no fine shall be levied.

#### **Sec. 600 Public Nuisances Prohibited & Public Nuisances Per Se**

1. No land or building in any district shall be used or occupied in any manner creating dangerous, injurious, noxious or otherwise objectionable conditions which could adversely affect the surrounding areas or adjoining premises, except that any use permitted by this Zoning Ordinance may be undertaken and maintained if acceptable measures and safeguards to reduce dangerous and objectionable conditions to acceptable limits as established by the following performance requirements:

2. Fire Hazards - Any activity involving the use or storage of flammable or explosive materials shall be protected by adequate firefighting and fire-prevention equipment and by such safety devices as are normally used in the handling of any such material. Such hazards shall be kept removed from adjacent activities to a distance which is compatible with the potential danger involved.
3. Radioactivity or Electrical Disturbance - No activity shall emit dangerous radioactivity at any point, or electrical disturbance adversely affecting the operation of any equipment at any point other than that of the creator of such disturbance.
4. Noise - Noise shall be so controlled that at the property line on which such noise is produced it will not be at a level above that normally perceptible from other development at the street right-of-way line on the lot, except occasional blast required in normal operation and produced in such manner as not to create a hazard. If such blast or other noise creates an objectionable noise as determined by the Village Council such noise shall be muffled or otherwise controlled. Sirens and related apparatus used solely for public purposes are exempt from this regulation.
5. Vibration - No vibration shall be permitted which is discernible without instruments on any adjoining lot or property.
6. Air Pollution - No pollution of air by fly-ash, dust, vapors, odors, smoke, or other substances shall be permitted which are harmful to health, animals, vegetation, or other property, or which can cause excessive soiling.
7. Glare - No direct or reflected glare shall be permitted which is visible from any property outside an industrial district or from any street.
8. Erosion - No erosion, by either wind or water, shall be permitted which will carry objectionable substances onto neighboring properties.
9. Water pollution - No pollution of any stream, reservoir, aquifer (underground water supply), or other water body within or surrounding the Village, shall be permitted which would create a serious threat to the health, safety or welfare of the residents of the Village.
10. Litter - Litter constituting a detriment to public health which has been placed on any property shall be removed. Litter includes any garbage, waste, peelings of vegetables or fruit, rubbish, ashes, cans, bottles, wire, paper, boxes, parts of automobiles, furniture, glass or oil of an unsightly or unsanitary nature, or anything else of an unsightly or unsanitary nature.
11. Junk - Junk such as abandoned vehicles, household appliances, farm equipment, or any other matter, for which no future use is contemplated, or which has deteriorated to the point of creating a visual blight on the landscape shall be removed from the view from any public road or right-of-way.

12. Storage Containers - No metal storage containers of any kind, including but not limited to, metal box containers or shipping containers, shall be used as a garage or permanent storage facility or building within the Village.
13. Enforcement Provisions - The Code Enforcement Officer or Village Council, prior to the issuance of a Zoning Permit, may require the submission of statements and plans indicating the manner in which dangerous and objectionable elements involved in processing and in equipment operations are to be eliminated or reduced to acceptable limits and tolerance. The Code Enforcement Officer shall investigate all complaints, if the Code Enforcement Officer finds a property in violation of this Article, he shall give a written notice by registered mail or in person to the owner or person in charge of the property requiring him/her to remove the nuisance within 15 days (30 days for dilapidated structures) of receipt of the notice. If the nuisance is not removed within this period, the Code Enforcement Officer shall hire someone to remove the nuisance and bill the owner or person in charge of the property for the cost of the labor and any materials used. If the bill is not paid, it will be added to the tax duplicate of such property.
14. Measurement Procedures - Methods and procedures of the Village for the determination of the existence of any dangerous or objectionable elements which constitute a public nuisance may utilize any applicable and reliable measurement procedures or the Village may request the assistance of reputable consultants, government organizations, or other sources if authorized by the Village Council.
15. Existing Public Nuisances Subject to Discretion of Council - Any public nuisance as described in this Zoning Ordinance and existing at the time of its adoption shall be subject to the discretion of Village Council prior to any action on the part of the Village to abate or take any other action against such public nuisance. In the utilization of such discretion, the Council shall determine what reasonable action, if any, should be taken by the Village to bring about the partial or total abatement of such public nuisance in question.
16. Public Nuisances Per Se –
  - A. No person shall throw, place, or leave; or permit the throwing, placing, or leaving any of the following substances: organic refuse, food wastes, ashes, dead animals, fish, animal bones, hides, rotten soap, grease, tallow, offal, shell, food containers or wrappings, cans, bottles, jars, crockery, garbage, discarded furniture, cartons, boxes, crates, rags, discarded clothing, bedding, floor covering, wallpaper, sweepings, waste paper, newspapers or magazines, discarded appliances, rubbish, excrement, rot, construction debris including, but not limited to, lumber, bricks, block, plumbing or heating materials, roofing materials, concrete, cement, electrical materials or siding, yard debris or rubbish including, but not limited to, grass clippings, clippings from hedges or shrubs, or detached tree branches, industrial waste, unclean or nauseous fluids or gases, in any of the following locations:
    - a. On the premises of another without permission.

- b. On any public street, highway, lane, road, alley, public place, square, sidewalk, sewers, or any lands within the boundaries of the Village owned by the Village or other municipal corporation.
  - c. In any river, lake, stream, or other body of water.
  - d. No person shall maintain or permit to remain on their premises, so owned, occupied, or possessed by another, substances that constitute a dangerous condition or are detrimental to the public health, safety, or welfare or may cause sickness or attract flies, insects, rodents, or vermin.
- B. The emission of noxious fumes or gas, smoke, ashes, or soot in such quantities as to render occupancy of property dangerous to a person of ordinary sensibilities.
- C. The keeping, either inside or outside of any building, structure, or dwelling, in a place accessible to children, any abandoned, unattended, unused, or discarded icebox, refrigerator, or any airtight container of any kind which has a snap latch or other locking device thereon without first removing the snap latch or other locking device or the doors from such icebox, refrigerator, or other such airtight container.
- D. The registered owner or lessee of a vehicle from which litter is thrown, dropped, dumped, deposited, placed or left is presumed to be the person responsible for littering.

### **Sec. 630 Parking of recreational and camping equipment**

Definitions. As used in this Ordinance, unless the context otherwise indicates:

1. "Recreational and camping equipment" means and includes any recreational and camping vehicle, travel trailer, motor home, truck camper, tent-type fold out camping trailer, and boat trailers and boats.
2. "Recreational and camping vehicle" means a vehicular portable structure that meets all of the following conditions:
  - A. It is designed for the sole purpose of recreational travel.
  - B. It is not used for the purpose of engaging in business for profit.
  - C. It is not used for the purpose of engaging in intrastate commerce.
  - D. It is not used for the purpose of commerce as defined in 49 C.F.R. 383.5, as amended.

- E. It is not regulated by the public utilities commission pursuant to Chapter 4919., 4921., or 4923., of the Revised Code.
3. "Travel trailer" means a nonself-propelled recreational vehicle that does not exceed an overall length of thirty- five feet, exclusive of bumper and tongue or coupling, and contains less than three hundred twenty square feet of space when erected on site. "Travel trailer" includes a tent-type fold-out camping trailer as defined in Section 4517.01 of the Revised Code.
  4. "Motor home" means a self-propelled recreational vehicle that has no fifth wheel and is constructed with permanently installed facilities for cold storage, cooking and consuming food, and for sleeping.
  5. "Truck camper" means a nonself-propelled recreational vehicle that does not have wheels for road use and is designed to be placed upon and attached to a motor vehicle. "Truck camper" does not include truck covers that consist of walls and a roof, but do not have floors and facilities enabling them to be used as a dwelling.
  6. "Tent-type fold out camping trailer" means any vehicle intended to be used, when stationary, as a temporary shelter with living and sleeping facilities, subject to the following properties and limitations:
    - A. A minimum of twenty-five percent (25%) of the fold out portion of the top and sidewalls combined must be constructed of canvas, vinyl or fabric, and form an integral part of the shelter.
    - B. When folded, the unit must not exceed:
      - a. Fifteen feet in length, exclusive of bumper and tongue;
      - b. Sixty inches in height from point of contact with the ground;
      - c. Eight feet in width; and
      - d. One-ton gross weight at time of sale.
  7. "Boats and boat trailers" include, but is not limited to, boats, floats and rafts, plus the normal equipment to transport the same on the highway.

Parking and Storage on Residential Property:

1. No recreational or camping equipment parked or stored shall have fixed connections to electricity, water, gas or sanitary sewer facilities, and at no time shall such equipment be occupied or used for living, sleeping, housekeeping or business purposes.

2. The parking of recreational and camping equipment for the purpose of storage shall be permitted on residential property so long as such is not on any public street or right of way or upon any public property and is properly licensed. If the recreational and camping equipment is parked or stored outside of a garage, all parts of the load and equipment thereof shall be parked or stored to the rear of the front building line of the residence or building structure.
3. An owner or operator whose use of a vehicle as a recreational or camping vehicle is only incidental to its primary use for general transportation purposes is not deemed to be parking such vehicle for the purpose of storage within the meaning of subsection (b).
4. Notwithstanding the provisions of subsection (b) herein, recreational and camping equipment may be parked anywhere on the premises for the ordinary, customary and reasonable time required for the purpose of loading, unloading, outfitting or otherwise preparing for recreational or camping use, but not to exceed twenty- four (24) hours in an thirty (30) day period.

Exceptions and Modifications:

1. Notwithstanding Section 2 (a), but subject to Section 2 (b), an occupied motor home, an occupied travel trailer or a boat trailer may be parked on private property for a period not to exceed seventy-two (72) consecutive hours in any thirty (30) day period, provided that the owner or person in charge of such trailer is a bona fide guest of the occupant or owner of such private property.
2. Notwithstanding any other provision of this Ordinance to the contrary, in the event that access is unavailable to permit moving recreational and camping equipment to the rear of the front building line, or in the event that space is not available to permit the storage of such equipment on the rear of the front building line, then and only in such events, such equipment may be parked on the lot forward of the front building line, provided further however, that such equipment shall be parked as close to the front building line as possible.

**Sec. 635 Food Trucks**

1. Definitions.

As used in this Ordinance:

- A. “Food” shall mean a raw, cooked or processed edible substance, ice, beverage, or ingredient used or intended for use or for sale in whole or part for human consumption.
- B. “Mobile food license” means the official document issued by the Clinton County Health District or by another jurisdiction’s health district with the authority to license food service operations.

- C. “Mobile food service operation” means a food service operation required to be licensed under Ohio Revised Code that is operated from a single movable vehicle or portable structure that routinely changes location and remains at said location for more than fifteen (15) minutes.
  - D. “Mobile food service operation permit” shall mean the permit issued by the Village of Blanchester Administrative Office.
  - E. “Special event” shall mean all “party in the park” events hosted by the Village of Blanchester Parks Department, Fourth of July, Memorial Day, and during the Blanchester homecoming parade
  - F. “Village” shall mean the Village of Blanchester.
2. Operation in the right of way; public property.
- A. No person shall cause a mobile food service operator to operate on any public street or sidewalk within the Village while such public street or sidewalk is open to normal public use.
  - B. No person shall cause a mobile food service operator to operate on any public street or sidewalk within the Village unless the mobile food service operation has an existing agreement to participate in a permitted parade or special event pursuant.
  - C. No person shall cause a mobile food service operator to operate on public property, including public parks, unless the mobile food service operation has an existing agreement to participate in a permitted parade or special event or has otherwise received written permission from the Village.
3. Mobile food service operation permit.
- A. No person shall cause a mobile food service operator to operate in the Village unless the operator has received a mobile food service operation permit from the Village.
  - B. An application for a mobile food service permit shall be submitted to the Village of Blanchester Administrative Office at 318 E Main St, Blanchester, OH 45107 on a form provided on the Village website. Applicants must provide the following documentation upon submittal of the permit application:
    - a. A copy of a current mobile food license;
    - b. Proof of general liability insurance coverage, including without limitation, bodily injury and property damage, in coverage amounts of at least \$1,000,000.00 per occurrence, and naming the Village of as an additional

insured, in a form that provides that the insurance coverage shall not be cancelled or reduced by the insurance carrier without 30 days' prior written notice to the Village; and

- c. The application fee for all mobile food service permits shall be a quarterly fee of \$100.
- d. Mobile food service operation permits are effective on a quarterly basis, shall expire after three months, and are not transferrable.
- e. No person shall cause a mobile food service operator to operate on private property unless the operator has complied with the private property requirements set forth on the Village website.
- f. No person shall cause a mobile food service operator to operate in the Village, and the Village may revoke the operator's mobile food service operation permit, if the operator's mobile food license has been suspended, canceled, or revoked, or if the operator fails to maintain compliance with all regulations imposed by the Ohio Department of Health, the Clinton County Health District, or any other local, state, or federal agencies.

#### 4. General Regulations

##### A. No person shall cause a mobile food service operator to:

- a. Sell food items, display food items, or conduct vending operations to the occupants of vehicles stopped in traffic;
- b. Display food items or place lines or other devices for the display of food items on any building or on any utility pole, planter, tree, trash container, or other sidewalk fixture;
- c. Place any food items in or upon any street or sidewalk;
- d. Leave a vending device unattended at any time during hours of operation;
- e. Utilize loud speakers or other noise-making devices in such a way to create a nuisance;
- f. Conduct business without making available a container suitable for the placement of litter; and

##### B. All mobile food service operations must:

- a. Conspicuously display evidence of their mobile food service operation permit

issued pursuant to this Ordinance:

- b. Be constructed to internally store and contain all waste water and grease for proper disposal, to prevent ground water contamination, and to prevent discharge of any waste water or grease onto the ground or into any storm water sewer within the Village;
  - c. Obey any lawful order or a police officer to relocate to avoid congestion or obstruction during an emergency;
  - d. Comply with all requirements of applicable state and local law, including, but not limited to, the State of Ohio fire code, the Ohio Uniform Food Safety Code, and the Village's traffic and zoning codes.
  - e. Exercise reasonable care to ensure that operations do not create a health or safety hazard to customers, other users of the sidewalks and streets, or persons on abutting property; and
  - f. Operate at all times in accordance with the Ohio Uniform Food Safety Code.
  - g. Mobile food service operations which are parked and operating on private property for a duration lasting longer than ten (10) days require a temporary zoning permit. The applicant shall specify in their application the duration of the requested permit, not to exceed thirty (30) days. At the expiration of the temporary zoning permit, the mobile food service operation must vacate the property for no less than ten (10) days prior to applying for another temporary zoning permit or operating on the property. A temporary zoning permit shall cost \$35.00.
5. Hours of operation.

No mobile food shall be conducted before 8:00 a.m. or after 9:00 p.m. Monday through Thursday and Sunday, or before 8:00 a.m. or after 11:00 p.m. on Friday and Saturday.

#### **Sec. 640 Grass and Weed**

1. The owner, occupant, or any other person or entity, having charge or management of any lot or lands situated within the Village of Blanchester, Ohio, shall cut down and remove weeds, grass, or plant growth in excess of eight (8) inches in height on the entire lot or parcel.
2. This excludes trees, bushes, flowers, ornamental plants and shrubs, gardens, or cultivated crops and areas which are heavily forested and in a natural state.
3. In the case of noncompliance with or violation of Ordinance 2011.020 (1) by any person, corporation, or entity, the Code Enforcement Officer shall cause written Notice of Noncompliance to be served upon the person or entity, having charge or management of

any lot or lands situated within the Village of Blanchester, Ohio, who is not complying with said ordinance, via Regular U.S. Mail, and the Zoning Commissioner shall obtain a certificate of mailing from the U.S. Postal Service for said mailing. Said notice shall notify him that:

- A. Weeds, grass, or plant growth in excess of eight (8) inches in height are growing on such lands and that they must be cut within five (5) days after the service of such notice;
- B. If the recipient of the Notice fails to comply with the Notice, the Village will take whatever action is reasonably necessary to bring this property into compliance with Ordinance 2011.020 (1), including but not limited to causing the vegetation on said property to be cut or abated with herbicides by the Village Street Department, other personnel, or contractors hired by the Village.
- C. The recipient will be billed for all costs of bringing this property into compliance, including fees for postage. Should the recipient fail to pay said bill within ten (10) days, then said charges will be verified to the County auditor to be assessed with the normal real estate taxes for said property.

**Sec. 905 Leaving unlicensed motor vehicle in open storage**

No unlicensed vehicles, whether operable or inoperable, may be stored overnight in an outdoor location on the premises of any property within the Village.

