

ORDINANCE No. 2025-12

AN ORDINANCE REGULATING THE STORAGE OF MOTOR VEHICLES, AUTOMOBILE PARTS, JUNK TRAILERS, JUNK LAWN MOWERS, AND RELATED MATERIALS AND AUTHORIZING THE MAYOR TO ENFORCE SAID REGULATIONS AND DECLARING AN EMERGENCY

BE IT ORDAINED by the Council of the Village of Vanlue that for the public safety and enjoyment of the residents of Vanlue the following ordinance is passed:

SECTION ONE: DEFINITIONS.

For the purposes of this chapter the following words and phrases shall have the meanings ascribed to them respectively:

- (a) "Automobile parts" means any portion of any motor-driven vehicle, as detached from the vehicle as a whole.
- (b) "Bottles" means glass containers and sheets or parts of sheets of glass which have served their intended purpose and are no longer fit for the original purpose thereof.
- (c) "Motor vehicle" means every device in, on or by which any person or property may be transported or drawn by power other than muscular power.
 - (1) "Inoperative motor vehicle" means any type of motor vehicle unable to move under its own power and which has remained in such condition for a period of not less than ten (10) consecutive days. A motor vehicle is presumed to be in an inoperative condition if it does not display a current registration sticker displayed upon its license plate.
 - (2) "Unfit for further use" means any type of motor vehicle which is in such dangerous condition, has defective or missing parts, or is in such a condition generally as to be unsuitable for further use as a conveyance because it has not been used as a conveyance for a period of not less than thirty (30) consecutive days.
- (d) "Junk Trailer" means a trailer that is inoperable due to a flat tire, lack of a wheel, lack of structural integrity, or other similar reasons that render it inoperable. A trailer is presumed to be in an inoperative condition if it has not been used as a trailer for a period of not less than thirty (30) consecutive days. Furthermore, a trailer is presumed to be in an inoperative condition if it does not display a current registration sticker displayed upon its license plate.

- (e) "Junk Lawn Mower" means a lawn mower which is old, or broken, or otherwise inoperative for it has reached the end of its useful life and is typically destined for recycling or disposal. A lawn mower is presumed to be in an inoperative condition if it has not been used to mow grass for a period of not less than thirty (30) consecutive days between June 1 and September 1 of any given year.
- (f) "Offensive materials" means dead or decaying vegetable matters whether formerly growing on the lot or lands or whether placed thereon; manure or fertilizer, which has remained on the premises for more than three months; ashes; straw; offal; or other annoying materials.
- (g) "Paper" means scrap or paper material not being used for any purpose in their original form, or unfit for any further use in their original form and present condition.
- (h) "Rags" means clothing or cloth which is unfit for further use for its originally intended purposes, in its present condition.
- (i) "Rope" means materials of hemp, cotton, nylon, rayon or any composition thereof which is no longer safe to use or which can no longer be used for its intended purpose.
- (j) "Scrap metal" means pieces of or parts of steel, iron, tin, zinc, copper or any alloy thereof, whether covered with porcelain or any other material which have served their usefulness in the original form and can no longer be used for the originally intended purpose.
- (k) "Tin cans" means any container or sheet metal made of tin or any alloy thereof, which is no longer useful in its present condition for the purpose for which it was originally intended.
- (l) "Bottles" means a glass or plastic container with a narrow neck, used for storing drinks or other liquids or discarded articles that are considered useless or of little value.
- (l) "Used building materials" means any materials, including wood, stone, brick, cement block or any composition thereof, used or useful in the erection of any building or structure, which have been used previously for such erection or construction by the same persons or by any other person.

SECTION TWO: UNLAWFUL TO STORE CERTAIN MATERIALS.

It shall be unlawful and a nuisance per se to store, place or allow to remain on any lot, lots, parts of lots or parcel of land within the limits of the Village, used building materials of wood, stone, brick, cement block or any composition thereof, paper, rags, rope, scrap metal, tin cans, bottles, or any offensive material or materials of any unsightly and unsanitary nature.

SECTION THREE: UNLAWFUL TO STORE MOTOR VEHICLES, AUTOMOBILE PARTS, JUNK TRAILERS, AND JUNK LAWN MOWERS

(a) It shall be unlawful and a nuisance per se to store, place or allow to remain on any lot, lots, parts of lots or parcel of land within the limits of the Village, any of the following:

- (1) A motor vehicle or motor vehicles which are inoperative; or
- (2) A motor vehicle or motor vehicles that are unfit for further use; or
- (3) Automobile parts; or
- (4) Junk Trailer(s); or
- (5) Junk Lawn mower(s).

(b) Nothing in this section shall be construed to prohibit the storage of the herein defined materials in a completely enclosed structure, building and/or garage. For purposes of this section, a fence, no matter how permanently affixed to real estate, shall not constitute a structure.

SECTION FOUR: VIOLATIONS AFTER FOURTEEN DAYS.

Whenever any of the materials or articles herein defined and set forth are placed, stored or allowed to remain on such lot, lots or parts of lots for a period of more than fourteen days, it shall constitute a violation of Sections Two and/or Three and shall subject the owner, lessee or tenant in charge thereof to the penalties hereof set forth.

SECTION FIVE: BUSINESS EXCEPTION.

Nothing herein contained shall be construed to prevent any person or persons who are lawfully engaged in a duly registered and licensed business of automobile repair from placing and/or storing any of the material herein defined in Section Three, provided that such material shall not remain on such lot, lots, parts of lots or parcel of land for a period of more than thirty days, unless the repair for such automobiles has been commenced and is being diligently prosecuted. In any event, all such automobiles or automobile parts shall be removed from the premises within a period of sixty days from the time the material was first placed on the lot, lots or parts of lot. No person shall move any materials so stored or placed in another location within the limits of this Village for the purposes of avoiding the intent of Section Three. Proof of said business registration and licensing must be filed with the Village of Vanlue prior to the placing and / or storing any of the material herein defined in Section Three.

Further, nothing herein contained shall be construed to prevent any person or persons lawfully engaged in a duly registered and licensed business of a towing service from placing and/or storing any of the material herein defined in Section Three provided that such material shall not remain on such lot, lots or parts of lots for a period of more than thirty days, unless removal is being diligently pursued. In any event, all such automobiles or automobile parts shall

be removed from the premises within a period of sixty days from the time such material was first placed on the lot, lots or parts of lots. Proof of said business registration and licensing must be filed with the Village of Vanlue prior to the placing and / or storing any of the material herein defined in Section Three.

SECTION SIX: PERMISSIBLE TO STORE IN BUILDING.

Whenever any of the materials herein defined, excepting manure, dead or decaying vegetable matter, or offal, are placed, stored, or allowed to remain on any lot or lots within the limits of the Village, and the same are placed or stored in a building or structure which completely encloses the materials therein, then the materials may remain therein so long as they do not become a breeding place for rodents or other unhealthy or harmful animals or insects.

SECTION SEVEN: MOVING STRUCTURE OR PARTS OF TO A NEW LOCATION:

Whenever a building or structure or parts thereof used or formerly used as a place of human habitation are moved from their original locations to a location within the limits of the Village, such buildings, structures, or parts thereof, if intended for further human habitation, shall be placed in a livable condition, including proper sewage facilities and necessary repairs and construction, within a period of four months from the day the same is placed on the lot, lots or parts of lots.

SECTION EIGHT: FULL-TIME LICENSED CONTRACTORS AND PLUMBERS EXCEPTED WHEN ZONING PERMITS.

Nothing contained herein shall apply to a duly licensed contractor or plumber who stores or causes to be stored any materials, equipment or merchandise regularly used in the conduct of his business, provided that such person, firm or corporation must be engaged full time in such contracting or plumbing and such materials, equipment or merchandise shall only be placed or stored on a lot, lots or parts of lots in those areas now or hereafter zoned "business", "commercial", or "industrial".

PENALTY.

(a) Whoever violates any provisions of this chapter is guilty of a minor misdemeanor and shall be fined not less than one hundred and fifty dollars (\$150.00).

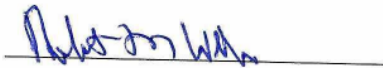
(b) If, within one year of the offense, the offender has been convicted of or pleaded guilty to one or more violations of Section Two, Three or Four, or any section of any previously established ordinance established by the Village of Vanlue (such as Ordinance 1996-5 or similar Ordinance) the offender is guilty of a misdemeanor of the fourth degree.

(c) In all cases, wherein a person has been convicted of or has pleaded guilty to a violation of Section Two, Three or Four, the Court shall, in addition to any fine or sentence imposed upon the offender, order the nuisance abated within seven days.

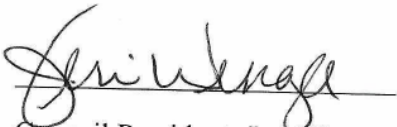
(d) In all cases, wherein, a person has been convicted of or has pleaded guilty to a violation of Section Three the Court may, within its discretion, and upon motion of the Village, suspend all or any part of the fine and/or sentence imposed upon a showing that the offender has waived any and all legal and/or equitable rights in and to such property which constituted the nuisance and that the offender has forfeited the property to the Village.

This Ordinance is hereby declared to be an emergency measure for the immediate preservation of the public peace, health, and safety of the inhabitants of the Village of Vanlue, Ohio and for the further reason it is immediately necessary to prohibit the storage, placement or allowance to remain on any lot, lots, parts of lots or parcel of land within the limits of the Village of said prohibited items.

WHEREFORE, this Ordinance shall take effect and be in force from and after its Passage and approval by the Mayor, Council President and Council members.



Mayor, Robert Wells



Council President, Jeri Wenger

PASSED: 6-0

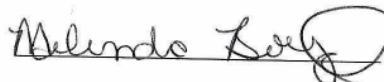
ATTEST: Melinda Boyd

APPROVED: 10-27-25

CERTIFICATE

The undersigned, Fiscal Officer of the Village of Vanlue, Ohio, hereby certifies that on the 18 day of ~~October~~^{November}, 2025, did post a copy of the foregoing Ordinance at the following designated places, and that the said copies did remain as posted for a period of fifteen days: 1. Vanlue Town Hall 2. Vanlue Marathon 3. Village of Vanlue website villageofvanlue.com 4. Wildcat Café 5. Hendricks Small Engines.

Date: 11-18-25



Fiscal Officer, Melinda Boyd