

RECORD OF ORDINANCES

First Reading: July 17, 2019
Second Reading: August 7, 2019

Ordinance No. 2019-63

Passed August 21, 2019

SPONSOR: PLANNING AND ZONING

152.036 amended August 21, 2019

AN ORDINANCE CREATING CODIFIED ORDINANCE SECTION ~~152.034~~ REGARDING VEHICLE SALES ON COMMERCIAL LOTS, AMENDING CODIFIED ORDINANCE SECTION 152.047(A)(8), AND DECLARING AN EMERGENCY

WHEREAS, this Council finds it appropriate and necessary to create Section 152.034 of the Code of Ordinances of the Village of Mogadore regarding vehicle sales on commercial lots; and,

WHEREAS, this Council finds it appropriate and necessary to amend Section 152.047(A)(8) of the Code of Ordinances of the Village of Mogadore; and,

WHEREAS, the Planning Commission has reviewed the proposed legislation regarding the regulation of vehicle sales and reported its findings and recommendations to Village Council; and,

WHEREAS, it is in the best interests of and furthers the public peace, health, safety, and general welfare of the Village residents to create Section 152.034 of the Village of Mogadore's Codified Ordinances and to amend Section 152.047(A)(8) of the Codified Ordinances;

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Mogadore, Counties of Portage and Summit, Ohio as follows:

SECTION 1: That the Village of Mogadore Codified Ordinances Section 152.034 is hereby created and shall state as follows:

152.036 amended August 21, 2019

§ ~~152.034~~ SALE OF VEHICLES.

A. The selling of used or previously owned vehicles from commercial property is permitted but subject to the following restrictions:

- (1) The total number of vehicles for sale during any twelve (12) month period is limited to two (2).
- (2) A single vehicle for sale may be displayed for a maximum, continuous two-week period.
- (3) Vehicles for sale shall be properly licensed and operable.
- (4) Vehicles for sale must be titled to the current leaseholder or landowner of the property upon which the vehicle is displayed.
- (5) No such vehicle shall be stored within three (3) feet of any Village right-of-way.
- (6) Display of such vehicles is also subject to all other provisions of these Codified Ordinances.

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B. This Section shall not apply to the following: (1) The sale of vehicles by Motor Vehicle Dealers, as governed by Ohio Revised Code Chapter 4517; or, (2) vehicles that are present on the property because the owner or lessee of the vehicle works at or has business at the premises and the vehicle is removed therefrom daily.

SECTION 2: That the Village of Mogadore Codified Ordinances Section 152.047(A)(8) is hereby amended and shall state as follows:

(8) Car lots in compliance with Ohio Revised Code Chapter 4517, entitled "Motor Vehicle Dealers, Auction Owners, and Sales Persons," as amended, and public garages, provided that no lighting there shall constitute a nuisance or in any way impair safe movement of traffic on any street or highway and that such developments shall be located on major thoroughfares or at intersections of major and/or collector thoroughfares.

SECTION 3: That this Council hereby finds and determines that all formal actions relative to the adoption of this Ordinance were taken in an open meeting of this Council and that all deliberations of this Council which resulted in formal action were taken in meetings open to the public, in full compliance with the applicable legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 4: That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and general welfare of Village residents, for the immediate implementation of these rules, and to allow for the continued operations of the Village Administration and other departments shall, therefore, take effect and be in force from and immediately after its passage.

Michael Radtchak 8-21-19
President of Council Date

[Signature] 8-21-19
Mayor Date

Attest:

[Signature]
Clerk - Treasurer