



Law Committee Agenda

April 3, 2023 at 4:00 PM

Law Committee

Rich Bardach, Chair
Dara Wood
Tom Muething

Staff Liason

Scot Lahrmer, Village Manager
Andy Kaake, Law Director
Chris Fritsch, Zoning and Project Administrator

MINUTES

1. Approval of minutes: May 2, 2022

TOPICS OF DISCUSSION

1. Review of legal costs
2. Regulations for trailers

ADJOURNMENT

MAY 02, 2022 LAW COMMITTEE MINUTES

- Attendees: Richard Bardach, Natalie Wolf, Scot Lahrmer, Tom Muething, Wes Brown, Andy Kaake and Stacy Lefton.
- A motion to approve the minutes from the March 08, 2022 law committee meeting carried unanimously.
- The law committee reviewed regulations for trailers in the Village. The committee is contemplating limiting the size of trailers parked on residential property to be no larger than sufficient to carry a standard lawn tractor. The committee continues to explore modifications of the Village Code to address these regulations.
- The law committee reviewed short term rentals in the Village. Examples include AirBNB and the vacation stay company VRBO. Our current Code may be utilized to address these rentals via noise and property destruction code sections. The Village is monitoring pending state legislation that is designed to create state-wide uniformity on this issue.
- The law committee reviewed potential modifications to sign regulations in the Village. There are very broad protections to these signs based upon free speech principles and recent court decisions limit any regulations to content-neutral size and location regulations. The committee is continuing to explore modifications to Village sign regulations.

Wood and Lamping invoices

<u>thru</u>	<u>2016</u>	N Site Title <u>2016</u>	M. Gerson <u>2016</u>	<u>2017</u>	N Site Title <u>2017</u>	Duke Pipeline <u>2017</u>	<u>2018</u>	Duke Pipeline <u>2018</u>	<u>2019</u>	Duke Pipeline <u>2019</u>	<u>2020</u>	Duke Pipeline <u>2020</u>	<u>2021</u>	Duke Pipeline	<u>2022</u>
January	\$3,310.00			\$7,134.00 **			\$7,831.56	\$147.20	\$2,172.73	\$332.20	\$ 4,448.00	\$47.50	2375.00	95.00	2896.00
February	2081.00	160.00		2169.00			3354.50		3033.60	792.60	2928.00	285.00	1254.00		2112.00
March	2432.00			6638.92	100.00		4450.77		2000.00	684.00	7398.00	237.50	2945.00		2576.00
April	1430.00		\$ 2,008.00	5615.48			1500.00	312.80	1856.00	152.00	8816.00	237.50	2698.00		3829.75
May	3487.00		258.00	2340.55		1380.00	1500.00		4064.00				4408.00		4545.54
June	4197.00 *			1362.50		2304.60	650.00	184.00	1407.40	38.00	6944.00	76.00	6153.72		2528.00
July	2468.00	341.00		2949.60		1784.80	800.00		2240.00		5984.00	95.00	2610.00		3471.00
August	4847.00	316.00		1958.20		1913.60	2302.50		2352.00		9429.00		3382.00		3422.00
September	5205.00			3923.30			1594.80		2000.00		12978.54		1615.00		3872.00
October	5982.00			6581.75			6176.80	147.20	3680.00		2888.00		2688.00		4864.00
November	10556.00 **			3159.00			2982.60	110.40	3664.00		4009.00		2480.00		1440.00
December	10321.00 **			6003.90			4423.00	92.00	2145.90	712.5	2888.00	133.00	1872.00		2592.00
Total	\$56,316.00	\$817.00	\$2,266.00	\$49,836.20	\$100.00	\$7,383.00	\$37,566.53	\$993.60	\$30,615.63	\$2,711.30	\$68,710.54	\$1,111.50	20800.72		38148.29
*Gas pipeline		\$2,670 Of the June bill was pipeline related											Credit for Overcharge		
													-6657.4		
**Ground lease		\$7,453 of the November bill was related to the ground lease													
		\$8,445 of the December bill was related to the ground lease													
		\$2,971 of the January bill was related to the ground lease													

Amberley Village American Legal current published code

Sections Found in: Zoning Code – General Provisions

§ 154.02 DEFINITIONS.

TRAVEL TRAILER. A vehicular, portable structure built on a chassis, designed to be used as a temporary dwelling for travel and recreational purposes, having a body width not exceeding eight feet.

§ 154.16 PARKING, STORAGE, OR USE OF MAJOR RECREATIONAL VEHICLES.

(A) For purposes of these regulations, **MAJOR RECREATIONAL VEHICLE** includes boats, boat trailers, buses, trailers, noncommercial trailers, mobile homes, semitrailers, recreational vehicles, travel trailers, motor homes, truck campers, fifth wheel trailers, park trailers, and cases or boxes used for transporting major recreational vehicles, whether occupied by such vehicles or not.

(B) No major recreational vehicle shall be parked or stored on any lot in a residential district except in an enclosed building. However, such vehicle may be parked anywhere on residential premises for not to exceed 24 hours during loading or unloading. No such vehicle shall be used for living, sleeping, or housekeeping purposes when parked or stored on a residential lot.

('69 Code, § 151.16) (Ord. C-285, passed 7-8-68; Am. Ord. C-666, passed 10-10-89; Am. Ord. C-692, passed 10-9-90; Am. Ord. 2013-02, passed 3-11-13) Penalty, see [§ 154.99](#)

§ 154.17 PARKING AND STORAGE OF VEHICLES DEEMED NUISANCES.

(A) Automotive vehicles or trailers of any kind or type without current license plates shall be deemed a nuisance and shall not be parked or stored on any residentially zoned property other than in completely enclosed buildings.

(B) The regular parking of commercial vehicles, bearing advertising of any type of business or commercial enterprise, on residentially zoned property within this village shall be deemed a nuisance. No such vehicle shall be parked on residentially zoned property within this village during any part of two or more consecutive days, except in an enclosed building or when engaged in normal business activity.

(C) No vehicle shall be offered and exhibited for sale or lease on residentially zoned property within the village unless such vehicle is owned by and titled to the owner of such property or member of his or her family residing at such property; at no time shall more than one of such vehicles be offered and exhibited for sale or lease; no such vehicle shall be offered and exhibited for sale or lease unless parked upon an improved driveway or apron; and no more than one sign or other form of advertising for the sale

or lease of such vehicles shall be displayed for more than 30 days within any six month period.

('69 Code, § 151.17) (Ord. C-285, passed 7-8-68; Am. Ord. C-666, passed 10-10-89; Am. Ord. C-692, passed 10-9-90; Am. Ord. 2001-3, passed 1-8-01) Penalty, see § [154.99](#)

Sections found in: Property Maintenance code – Exterior Property Areas

§ 159.168 MOTOR VEHICLES.

(A) Except as provided for in other regulations, no inoperative or unlicensed motor vehicle, vehicle in a state of disassembly or disrepair, trailer, or automobile parts shall be parked, kept, or stored on any premises unless they are contained in a completely enclosed building. Painting of vehicles is prohibited unless conducted inside an approved spray booth.

(B) No motor vehicle shall be parked on the grass, any other non-paved surface, or any place not specifically designed for motor vehicle traffic or parking at any time, except motor vehicles may be parked on grass for a period of time not to exceed six hours for parties, events or religious observances, in which case they may be parked on grass only for the duration of the party, event or religious observance.

(C) Violations of the provisions contained in this section will be addressed through the notice, enforcement, and penalty provisions contained in §§ [159.030](#) to [159.037](#), [159.060](#) to [159.064](#), and [159.080](#) to [159.084](#) of the Village Code.

(Ord. 2007-16, passed 7-16-07; Am. Ord. 2021-4, passed 1-11-21)

§ 159.169 CONSTRUCTION EQUIPMENT AND MATERIALS.

No construction equipment or materials may be stored in the front yard of any premises. Construction equipment and materials must be stored behind the structure, within zoning setbacks and must not be visible from the street. Exception: On any construction project for which a building permit has been issued, construction equipment and materials may be stored in the front yard of any premises for a period of time not to exceed 72 hours. Provided, however, if a holiday occurs within said 72 hour period, equipment may be stored in the front yard of any premises for a period of time not to exceed 96 hours.

(Ord. 2007-16, passed 7-16-07)

§ 159.170 LAWN AND GARDEN EQUIPMENT AND TRAILERS.

No lawn or garden equipment or trailers of any kind may be stored in the front or side yard of any premises, but must be stored behind the structure and within zoning setbacks or in an enclosed outbuilding or accessory structure.

(Ord. 2007-16, passed 7-16-07)

§ 159.171 TRADE OR BUSINESS EQUIPMENT.

No business equipment may be stored on premises. Exception: Business equipment, used in a properly licensed trade or business operated on the premises, may be stored behind the structure provided that such equipment is located within the zoning setbacks in an enclosed out building or accessory structure.

(Ord. 2007-16, passed 7-16-07)

Parking Trailers in Residential District

154.02 DEFINITIONS.

TRAVEL TRAILER. A vehicular, portable structure built on a chassis, designed to be used as a temporary dwelling for travel and recreational purposes, ~~having a body width not exceeding eight feet.~~

154.16 PARKING, STORAGE, OR USE OF MAJOR RECREATIONAL VEHICLES.

(A) For purposes of these regulations, **MAJOR RECREATIONAL VEHICLE** includes boats, boat trailers, buses, ~~open and enclosed~~ trailers (except as outlined below), ~~noncommercial trailers, mobile homes, semitrailers, recreational vehicles, travel trailers, motor homes, truck campers, fifth wheel trailers, park trailers, and eases trailers~~ or boxes used for transporting major recreational vehicles, whether occupied by such vehicles or not. Notwithstanding the definitions above, open trailers not exceeding 4' in width and 8' in length and that are used for storage and transport of lawn and gardening equipment are not considered "Major Recreational Vehicles" and may be located and stored as provided in § 159.170 of these regulations. ~~Except lawn and garden trailers 4'x8' or smaller.~~

(B) No major recreational vehicle shall be parked or stored on any lot in a residential district except in an enclosed building. However, such vehicle may be parked anywhere on residential premises for not to exceed 24 hours during loading or unloading. No such vehicle shall be used for living, sleeping, or housekeeping purposes when parked or stored on a residential lot.

('69 Code, § 151.16) (Ord. C-285, passed 7-8-68; Am. Ord. C-666, passed 10-10-89; Am. Ord. C-692, passed 10-9-90; Am. Ord. 2013-02, passed 3-11-13) Penalty, see § 154.99

154.17 PARKING AND STORAGE OF VEHICLES DEEMED NUISANCES.

(A) Automotive vehicles or trailers of any kind or type without current license plates shall be deemed a nuisance and shall not be parked or stored on any residentially zoned property other than in completely enclosed buildings.

(B) The regular parking of commercially licensed vehicles and trailers, whether bearing advertising of any type of business or commercial enterprise or not, on residentially zoned property within this village shall be deemed a nuisance. No such vehicle shall be parked on residentially zoned property within this village during any part of two or more consecutive days, except in an enclosed building or when engaged in normal business activity.

(C) No vehicle shall be offered and exhibited for sale or lease on residentially zoned property within the village unless such vehicle is owned by and titled to the owner of such property or member of his or her family residing at such property; at no time shall more than one of such vehicles be offered and exhibited for sale or lease; no such vehicle shall be offered and exhibited for sale or lease unless parked upon an improved driveway or apron, not in the Village right of way; and no more than one sign or other form of advertising for the sale or lease of such vehicles shall be displayed for more than 30 days within any six month period.

(D) No more than 1 vehicle may be posted for sale or lease on residential property in a six-month period.

('69 Code, § 151.17) (Ord. C-285, passed 7-8-68; Am. Ord. C-666, passed 10-10-89; Am. Ord. C-692, passed 10-9-90; Am. Ord. 2001-3, passed 1-8-01) Penalty, see § 154.99

159.168 MOTOR VEHICLES.

(A) Except as provided for in other regulations, no inoperative or unlicensed motor vehicle, vehicle in a state of disassembly or disrepair, trailer, or automobile parts shall be parked, kept, or stored on any premises unless they are contained in a completely enclosed building. Painting of vehicles is prohibited unless conducted inside an approved spray booth.

(B) No motor vehicle shall be parked on the grass, any other non-paved surface, or any place not specifically designed for motor vehicle traffic or parking at any time, except motor vehicles may be parked on grass for a period of time not to exceed six hours for parties, events or religious observances, in which case they

may be parked on grass only for the duration of the party, event or religious observance.

(C) Violations of the provisions contained in this section will be addressed through the notice, enforcement, and penalty provisions contained in §§ [159.030](#) to [159.037](#), [159.060](#) to [159.064](#), and [159.080](#) to [159.084](#) of the Village Code.

(Ord. 2007-16, passed 7-16-07; Am. Ord. 2021-4, passed 1-11-21)

159.169 CONSTRUCTION EQUIPMENT AND MATERIALS.

No construction equipment or materials may be regularly stored in the front yard of any premises or on residentially zoned properties. Construction equipment and materials must be stored behind the structure, within zoning setbacks and must not be visible from the street. Exception: On any construction project for which a building permit has been issued, construction equipment and materials may be stored in the front yard of any premises for a period of time not to exceed 72 hours. Provided, however, if a holiday occurs within said 72 hour period, equipment may be stored in the front yard of any premises for a period of time not to exceed 96 hours.

(Ord. 2007-16, passed 7-16-07)

Commented [ARK1]: Do we define regularly? 24 hours or less is OK, anything longer not OK?

§ 159.170 LAWN AND GARDEN EQUIPMENT AND TRAILERS.

No lawn or garden equipment or trailers of any kind may be stored in the front or side yard of any premises, but must be stored behind the structure and within zoning setbacks or in an enclosed outbuilding or accessory structure. What is a permissible L~~awn~~ and g~~arden~~ t~~railer~~ is defined in § 154.16 of these regulations. meaning open trailers 4'x8' or smaller.

(Ord. 2007-16, passed 7-16-07)

§ 159.171 TRADE OR BUSINESS EQUIPMENT.

No business equipment may be stored on premises. Exception: Business equipment, used in a properly licensed trade or business operated on the premises, may be stored behind the structure provided that such equipment is located within the zoning setbacks in an enclosed out building or accessory structure.

(Ord. 2007-16, passed 7-16-07)

Parking Trailers in Residential District final document for Law Committee

154.02 DEFINITIONS.

TRAVEL TRAILER. A vehicular, portable structure built on a chassis, designed to be used as a temporary dwelling for travel and recreational purposes.

154.16 PARKING, STORAGE, OR USE OF MAJOR RECREATIONAL VEHICLES.

(A) For purposes of these regulations, **MAJOR RECREATIONAL VEHICLE** includes boats, boat trailers, buses, open and enclosed trailers (except as outlined below), noncommercial trailers, mobile homes, semitrailers, recreational vehicles, travel trailers, motor homes, truck campers, fifth wheel trailers, park trailers, and trailers or boxes used for transporting major recreational vehicles, whether occupied by such vehicles or not. Notwithstanding the definitions above, open trailers not exceeding 4' in width and 8' in length and that are used for storage and transport of lawn and gardening equipment are not considered "Major Recreational Vehicles" and may be located and stored as provided in § 159.170 of these regulations.

(B) No major recreational vehicle shall be parked or stored on any lot in a residential district except in an enclosed building. However, such vehicle may be parked anywhere on residential premises for not to exceed 24 hours during loading or unloading. No such vehicle shall be used for living, sleeping, or housekeeping purposes when parked or stored on a residential lot.

('69 Code, § 151.16) (Ord. C-285, passed 7-8-68; Am. Ord. C-666, passed 10-10-89; Am. Ord. C-692, passed 10-9-90; Am. Ord. 2013-02, passed 3-11-13) Penalty, see § [154.99](#)

154.17 PARKING AND STORAGE OF VEHICLES DEEMED NUISANCES.

(A) Automotive vehicles or trailers of any kind or type without current license plates shall be deemed a nuisance and shall not be parked or stored on any residentially zoned property other than in completely enclosed buildings.

(B) The regular parking of commercially licensed vehicles and trailers, whether bearing advertising of any type of business or commercial enterprise or not, on residentially zoned property within this village shall be deemed a nuisance. No such vehicle shall be parked on residentially zoned property within this village during any part of two or more consecutive days, except in an enclosed building or when engaged in normal business activity.

(C) No vehicle shall be offered and exhibited for sale or lease on residentially zoned property within the village unless such vehicle is owned by and titled to the owner of such property or member of his or her family residing at such property; at no time shall more than one of such vehicles be offered and exhibited for sale or lease; no such vehicle shall be offered and exhibited for sale or lease unless parked upon an improved driveway or apron, not in the Village right of way; and no more than one sign or other form of advertising for the sale or lease of such vehicles shall be displayed for more than 30 days within any six month period.

(D) No more than 1 vehicle may be posted for sale or lease on residential property in a six-month period.

('69 Code, § 151.17) (Ord. C-285, passed 7-8-68; Am. Ord. C-666, passed 10-10-89; Am. Ord. C-692, passed 10-9-90; Am. Ord. 2001-3, passed 1-8-01) Penalty, see § [154.99](#)

159.168 MOTOR VEHICLES.

(A) Except as provided for in other regulations, no inoperative or unlicensed motor vehicle, vehicle in a state of disassembly or disrepair, trailer, or automobile parts shall be parked, kept, or stored on any premises unless they are contained in a completely enclosed building. Painting of vehicles is prohibited unless conducted inside an approved spray booth.

(B) No motor vehicle shall be parked on the grass, any other non-paved surface, or any place not specifically designed for motor vehicle traffic or parking at any time, except motor vehicles may be parked on grass for a period of time not to exceed six hours for parties, events or religious observances, in which case they may be parked on grass only for the duration of the party, event or religious observance.

(C) Violations of the provisions contained in this section will be addressed through the notice, enforcement, and penalty provisions contained in

§§ [159.030](#) to [159.037](#), [159.060](#) to [159.064](#), and [159.080](#) to [159.084](#) of the Village Code.

(Ord. 2007-16, passed 7-16-07; Am. Ord. 2021-4, passed 1-11-21)

159.169 CONSTRUCTION EQUIPMENT AND MATERIALS.

No construction equipment or materials may be regularly stored in the front yard of any premises or on residentially zoned properties. Construction equipment and materials must be stored behind the structure, within zoning setbacks and must not be visible from the street. Exception: On any construction project for which a building permit has been issued, construction equipment and materials may be stored in the front yard of any premises for a period of time not to exceed 72 hours. Provided, however, if a holiday occurs within said 72 hour period, equipment may be stored in the front yard of any premises for a period of time not to exceed 96 hours.

(Ord. 2007-16, passed 7-16-07)

§ 159.170 LAWN AND GARDEN EQUIPMENT AND TRAILERS.

No lawn or garden equipment or trailers of any kind may be stored in the front or side yard of any premises, but must be stored behind the structure and within zoning setbacks or in an enclosed outbuilding or accessory structure. What is a permissible lawn and garden trailer is defined in § 154.16 of these regulations.

(Ord. 2007-16, passed 7-16-07)

§ 159.171 TRADE OR BUSINESS EQUIPMENT.

No business equipment may be stored on premises. Exception: Business equipment, used in a properly licensed trade or business operated on the premises, may be stored behind the structure provided that such equipment is located within the zoning setbacks in an enclosed out building or accessory structure.

(Ord. 2007-16, passed 7-16-07)