

ORDINANCE NO. 19-81

CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMAN Russell Sweetman ON THE 21st  
DAY OF September, 1981.

AN ORDINANCE AMENDING ORDINANCE NUMBER 15-61, THE ZONING ORDINANCE, AND ORDINANCE NUMBER 48-70, BY CHANGING DEFINITIONS AND REQUIREMENTS FOR EDUCATIONAL FACILITIES AND CHURCHES IN THE CITY OF CENTERVILLE, OHIO.

THE MUNICIPALITY OF CENTERVILLE HEREBY ORDAINS:

Section 1. That Section 5, Definitions of Ordinance Number 15-61 is hereby amended as follows, with the portions in brackets thereof repealed and the underlined portions added:

[Private School - Private preprimary, primary, grade, high or preparatory school or academy.]

[Trade or Business School - Secretarial or Business School or College when not publicly owned or not owned or conducted by or under the sponsorship of a religious, charitable or non-profit organization; or a school conducted as a commercial enterprise for teaching instrumental music, dancing, barbering or hair dressing, drafting or for teaching industrial or technical arts.]

Church - A building, together with its accessory buildings and uses, where persons regularly assemble for religious worship, and which, together with its accessory buildings and uses, is maintained and controlled by a religious body organized to sustain public worship. Nursery, kindergarten, day care, and compulsory (grades 1-12) schools shall be permitted accessory use(s) to a church.

School - the use of a premises for the frequent instruction, education, or part time care of five (5) or more persons simultaneous. The number five (5) shall not include any member(s) of a family residing on the premises.

"Part time care", as used in this definition, shall mean the part time care of children twelve (12) years of age or younger who do not reside on the premises.

"Frequent", as used in this definition, shall mean school sessions occurring more than five (5) times during any thirty (30) day period.

A. School: Nursery, Kindergarten, Day Care

A school providing general daytime care and/or instruction for children twelve (12) years of age or younger which conducts no instructional programs certified by the State Board of Education as meeting the minimum educational requirements of the Ohio Revised Code for compulsory age children (ages 6-18 years). Hours of operation shall be limited to the daytime hours between 6:00 A.M. and 9:00 P.M.

B. School: Compulsory (Grades 1-12)

A public or private, profit or non-profit school whose primary use is to conduct regular academic instruction and/or special substitute educational programs which are certified by the State Board of Education as meeting the minimum educational requirements of the Ohio Revised Code for compulsory age children attending the school.

As a secondary use, the school may conduct optional community programs and activities involving persons of any age, such as but not limited to, child day care, pre-kindergarten, evening classes, summer programs, recreational and cultural programs, and special events.

The Ohio Revised Code requires the education of all children of compulsory age (6-18 years of age).

C. School: College, University, or Seminary

Public and other non-profit schools conducting regular academic instruction at the college level including graduate schools, universities, community and junior colleges, colleges, non-profit research institutions, seminaries, religious institutions, including related instructional and recreational uses with or without living quarters, dining rooms, restaurants, heating plants and other incidental facilities for students, teachers and employees. Such schools must either:

1. Offer general academic instruction equivalent to the standards prescribed by the State of Ohio, Board of Education, or
2. Confer degrees as a college or university, Junior College or Community College with undergraduate or graduate standing, or
3. Conduct research, or
4. Give religious instruction.

This definition does not include schools, academies or institutions, incorporated or otherwise, which operate for profit nor does it include commercial, trade or business schools.

D. School: Trade, Business, or Other

A school operated for profit which teaches business, professional or technical trades or skills, or a school not otherwise included within the provisions of this ordinance.

Section 2. That Figure 7, Contingent Uses and Requirements, of Ordinance Number 48-70 is hereby amended as follows, with the portions in brackets thereof repealed and the underlined portions added:

[School, Public or Non-Public]

replaced by:

School, Compulsory (Grades 1-12)

Additional requirements for School, Compulsory (Grades 1-12):

b7, c6, g, h4, i7, j1, 12, p, s.

Parking requirements in the note remain in the ordinance and apply to School, Compulsory (Grades 1-12).

Section 3. That Figure 7, Contingent Uses and Requirements, of Ordinance Number 48-70 is hereby amended as follows, with the portions underlined added:

Contingent Uses and Requirements

Type of Use	Districts in Which Use is Permitted	Requirements
<u>School: College, University, or Seminary</u>	<u>All</u>	<u>b7, c6, g, h4, i7, j1, 12, p, s, k36*</u>

Add title for K-30 through K-36:

Parking Space Requirements

\*k36 One (1) space per staff member on the largest shift, plus one (1) space per two (2) students of the largest class attendance period.

Section 4. That Section 20, Figure 9, Conditional Uses and Requirements, of Ordinance Number 15-61 is hereby amended as follows, with the portions in brackets thereof repealed and the underlined portions added:

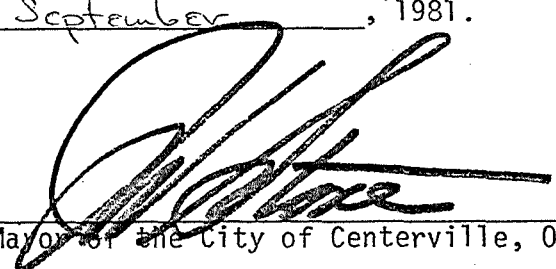
[Kindergarten or Day Nursery]

School: Nursery, Kindergarten, Day Care

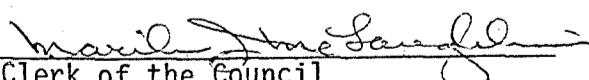
Additional requirement designations: g, s.

Section 5. This Ordinance shall become effective from and after the earliest date allowed by law.

PASSED THIS 21st day of September, 1981.

  
Mayor of the City of Centerville, Ohio

ATTEST:

  
Clerk of the Council  
City of Centerville, Ohio

CERTIFICATE

The undersigned, Clerk of the Council of the City of Centerville, Ohio, hereby certifies the foregoing to be a true and correct copy of Ordinance No. 19-81, passed by the Council of the City of Centerville, Ohio on the 21st day of September, 1981.

  
Clerk of the Council

Approved as to form, consistency  
with existing ordinances, the  
charter & constitutional provisions.

Department of Law  
Robert N. Farquhar  
Municipal Attorney