

Ordinance No. 26-69

Passed 7th day of April, 19 69

ORDINANCE NO. 26-69

AN EMERGENCY ORDINANCE PROVIDING FOR THE NUMBER, WIDTH AND LOCATION OF CURB CUTS IN B-1 AND B-2 DISTRICTS FOR LOTS OR PARCELS JOINED INTO A SINGLE USE, INCLUDING THE NUMBER, WIDTH, AND LOCATION OF CURB CUTS ON LOT FRONTAGE, THE DISTANCE FROM INTERSECTIONS, THE FREQUENCY AND INTERVAL OF CURB CUTS ON LOT FRONTAGE, LOCATION, AND, PRESCRIBING THE PROCEDURE AND FEES FOR CURB CUTS.

THE MUNICIPALITY OF CENTERVILLE HEREBY ORDAINS:

SECTION 1. The provisions of this ordinance cover and include individual lots or parcels and lots or parcels joined into a single use.

SECTION 2. No more than one (1) curb cut will be permitted on any lot frontage, nor more than two (2) on any corner lot.

Curb Cuts shall be not less than twenty-seven (27) feet in width and not more than fifty (50) feet in width.

The maximum allowable total width of individual curb cuts permitted on any total lot frontage is fifty (50) feet.

SECTION 3. Curb cuts are prohibited, except as herein provided, within fifty (50) feet of an intersection as determined from the right-of-way line extended and/or property line extended. An intersection is defined as that area of public right-of-way between property lines of intersecting streets.

Should an application be made for curb cuts within 50 feet of an intersection, under conditions requiring such ingress and/or egress, the Planning Commission and Council may grant such curb cuts, but only if provision is made for an additional traffic lane alongside and parallel to the lot frontage, construction of which shall be at the owner's expense.

For curb cuts 50 feet from an intersection and at the next permitted interval of 50 feet, parking is prohibited along the entire frontage so involved when the proposal involves a corner lot.

SECTION 4. Curb cuts are permitted only at distances of fifty (50) feet along lot frontage and fifty (50) feet is the required interval between curb cuts.

Curb cuts shall be located under the provisions of this ordinance and in consistency with good planning practice and in consideration of the public safety. The Planning Commission and Council may waive this provision under extenuating circumstances for peculiarities of lot size, configuration or topography.

SECTION 5. Applications for curb cuts shall be made on forms prescribed by the City, in duplicate, and shall include a complete description of the type development proposed and an accurate plot plan for the development.

Applications shall be submitted to the Planning Commission at least ten (10) days prior to its regular meeting, on the last Tuesday of each month.

Following review by the Department of Development and consideration by the Planning Commission who shall have fourteen (14) days to prepare their report, the Commission shall promptly refer the application to City Council, who shall have not less than fourteen (14) days nor more than thirty (30) days in which to consider such applications.

Council may, at its discretion, waive technicalities and attach such conditions as it deems desirable for proper protection of the public health, safety and welfare.

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SECTION 6. Fees for curb cuts are as follows: for the first curb cut: \$20.00; and, for each additional curb cut, up to the maximum of two: \$10.00.

SECTION 7. This ordinance is hereby declared to be an emergency ordinance and shall become effective immediately on its adoption. A public emergency effecting the public health, safety and welfare is hereby declared to exist, because of the increased hazard to the public due to the uncontrolled proliferation of curb cuts on thoroughfares and major arteries, thereby increasing conjection and unnecessary and hazardous traffic delays.

PASSED this 7th day of April, 1969.

Approved:

/S/ Paul C. Hoy
Mayor

ATTEST:

/S/ Marilyn J. McLaughlin
Clerk of Council

C E R T I F I C A T E

The undersigned, Clerk of Council of the City of Centerville, Ohio, hereby certifies the foregoing to be a true and correct copy of Ordinance No. 26-69, passed by the Council of the City of Centerville, Ohio, on the 7th day of April, 1969.

/S/ Marilyn J. McLaughlin
Clerk of Council