

(Requires a yea vote by three-fourths of all elected members)

Yeas	five (5)	Nays	None (0)
Vote on emergency clause:		Yeas	five (5)
		Nays	None (0)

Passed: April 3rd, 1961  
As an Emergency Measure.

Passed: April 3rd, 1961.

ATTEST: (Signed) Kenneth E. Poff  
Clerk

(Signed) Wm. O. Gimbel  
Mayor

The foregoing is accepted as a basis for proceeding with the construction herein described.

For the Village of Centerville, Ohio

ATTEST: (Signed) Kenneth E. Poff  
Clerk

(Signed) Wm. O. Gimbel Date 4-3-61  
Contractual Officer

For the State of Ohio.

ATTEST: \_\_\_\_\_

\_\_\_\_\_  
Date \_\_\_\_\_  
Director Ohio Department of Highways

CERTIFICATE OF COPY

State of Ohio  
Village of Centerville SS  
County of Montgomery

I, KENNETH E. POFF, as clerk of the village of Centerville, Ohio, do hereby certify that the foregoing is a true and correct copy of ordinance adopted by the council of the said Village on the 3rd day of April, 1961, that the publication of such ordinance has been made and certified of record according to law; that no proceedings looking to a referendum upon such ordinance have been taken; and that such ordinance and certificate of publication thereof are of record in ordinance Record No \_\_\_\_\_, Page \_\_\_\_\_.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal this 3rd day of April, 1961.

(Signed) Kenneth E. Poff  
Clerk Village of Centerville,  
State of Ohio.

CERTIFICATE OF POSTING

I, KENNETH E. POFF, Clerk of the Council of the Village of Centerville, Ohio, do hereby certify that there is no newspaper printed in said municipality and that publications of Ordinance Number 8-1961 was duly made by posting true copies thereof at five of the most public places of said municipality, as determined by the Council, as follows:

- Stage Coach Inn
- Centerville Market
- Shell Service Station
- Centerville Post Office
- First National Bank of Miamisburg

each for a period of fifteen days, commencing on the 3rd day of April, 1961.

Dated: April 3rd, 1961

(Signed) Kenneth E. Poff  
Clerk-Treasurer

ORDINANCE NUMBER 9-1961  
VILLAGE OF CENTERVILLE, OHIO

AN ORDINANCE AMENDING THE ZONING ORDINANCE, CENTERVILLE, OHIO

AN ORDINANCE to amend Ordinance No. 5, of the Village of Centerville, Ohio, known as the "Zoning Ordinance of 1955", as amended, passed on the 3rd day of October, 1955, which is an Ordinance to amend Ordinance No. 5-1943, the Zoning Ordinance of the Village of Centerville, passed August 15th, 1946 for the purposes of "Regulating, Restricting, and Limiting, in the interest of Public Health, Safety, Convenience, Comfort, Prosperity, and General Welfare, the Uses and the Location of Buildings and Other Structures and of Premises to be Used for Trade, Industry, Residence or Other Specified Uses, the Height, Bulk and Location of Buildings and Other Structures, Hereafter Erected or Altered, including Minimum Lot Areas, Setback Building Lines and the Area of Yards, Courts, and Other Open Spaces, and for Said Purposes to Divide the City into Zones or Districts of Such Number, Shape, and Area as are Deemed Best Suited to Carry out the Said Purposes, and to provide a Method of Administration and to Prescribe Penalties for the Violations of the Within Provisions".

Section 1. Section 1 of Article IV of said "Zoning Ordinance of 1955" which reads as follows:

## Ordinance Number 9-1961 (Continued)

SECTION 1. In order to regulate and restrict the location and use of buildings and land for trade, industry, residence and other purposes; to regulate and restrict the height and size of buildings hereafter erected or structurally altered, the size of yards and other open spaces, the amount of parking spaces and the density of population, the Village of Centerville, Ohio, is hereby divided into districts, of which there shall be nine (9) in number, known as:

- "A-1" Agriculture District
- "R-1" Single Family District
- "R-2" Single Family District
- "R-3" Single Family District
- "R-4" Multiple Dwelling District
- "B-1" Neighborhood Business District
- "B-2" General Business District
- "B-3" Shopping Center District
- "M-1" Industrial District

is hereby changed to read as follows:

SECTION 1. In order to regulate and restrict the location and use of buildings and land for trade, industry, residence and other purposes; to regulate and restrict the height and size of buildings hereafter erected or structurally altered, the size of yards and other open spaces, the amount of parking spaces and the density of population, the Village of Centerville, Ohio, is hereby divided into districts, of which there shall be nine (9) in number, known as:

- "A-1" Agriculture District
- "R-1" Single Family District
- "R-2" Single Family District
- "R-3" Single Family District
- "R-4" Multiple Dwelling District
- "B-1" Neighborhood Business District
- "B-2" General Business District
- "B-3" Shopping Center District
- "I-1" Industrial District

Section 2. Article XII of said "Zoning Ordinance of 1955", which reads as follows:

## ARTICLE XII

## "M-1" LIGHT INDUSTRIAL DISTRICT REGULATIONS

SECTION 1. The regulations set forth in this Article or set forth elsewhere in this Ordinance when referred to in this Article, are the District regulations in the "M-1" Light Industrial District.

SECTION 2. Use Regulations: A building or premises may be used only for the following purposes:

1. Any use permitted in the "B-2" General Business District, except residences
2. Blacksmith Shop
3. Bottling works
4. Contractor's storage yard
5. Dyeing and cleaning establishments
6. Junk yard, but only when the area of such lot or tract devoted to such use is covered by a building in conformity with the Building Code requirements of the Village of Centerville.
7. Laundry
8. Lumber yard.
9. Milk distributing station
10. Printing plant
11. Plumbing shop
12. Public utility substations and facilities
13. Warehouses and storage plants
14. Wholesale establishments
15. Feed and coal yards.
16. Industrial and manufacturing plants where the scale of operations and the process of manufacturing or treatment of materials is such that the amount of dust, odor, gas, smoke or noise resulting therefrom will not result in a lowering of taxable values of property, and otherwise will not be objectionable to surrounding residence districts, where the operations are conducted in one or more buildings and not more than ten (10) percent of the lot or tract is used for the open storage of products, materials or equipment.

SECTION 3. Parking and Loading Regulations: (a) The parking and loading regulations for the uses permitted in the "B-2" General Business District shall apply to such uses when located in the "M-1" Light Industrial District. (b) For the industrial uses permitted in this district, parking space shall be provided on the lot or in a building on the lot adequate to accommodate one (1) car for every three (3) employees on any one working shift, as well as the trucks and other vehicles owned by or in the custody of the industry. (c) For the industrial uses permitted in this district, one space for the loading or unloading of trucks, either within the building or upon the lot, with a minimum dimension of ten (10) by twenty-five (25) feet and having a vertical clearance of fourteen (14) feet, shall be provided for every ten thousand (10,000) square feet of gross floor area or fraction thereof.

SECTION 4. Height Regulations: No building shall exceed three (3) stories or fifty (50) feet in height unless it is set back one (1) foot from all required yard lines for each foot of additional height above fifty (50) feet but in no event shall it exceed six (6) stories or seventy-five (75) feet.

SECTION 5. Area Regulations:

1. Front Yard. There shall be a minimum front yard having a depth of not less than twenty (20) feet. Where the frontage on the opposite sides of the street is occupied by a residential district, the front yard requirements of the residential district shall apply to the "M-1" Light Industrial District. Where the frontage on one side of the street between two intersecting streets is located partly in the "M-1" Light Industrial District and a dwelling or any business district, the front yard requirements of the dwelling or business district shall apply to the "M-1" Light Industrial District.

2. Side Yard. The side yard regulations for uses permitted in the "R-4" Multiple Dwelling District shall apply to such uses when located in the "M-1" Light Industrial District. No side yard is required except on the side of a lot adjoining a dwelling district, in which case there shall be a side yard of not less than five (5) feet.

3. Rear Yard. The rear yard requirements for uses permitted in the "R-4" Multiple Dwelling District shall apply to such uses when located in the "M-1" Light Industrial District. In all other cases a rear yard is not required except on a lot abutting on a dwelling district in which instance there shall be a rear yard of not less than fifteen (15) feet in depth.

is hereby changed to read as follows:

## ARTICLE XII

### INDUSTRIAL USES AND REQUIREMENTS

SECTION 1. The Industrial Uses defined below, including Accessory Buildings and Uses, are permitted in the Districts indicated in Figure 1 in accordance with the requirements of this Article.

No activity involving the storage, utilization or manufacture of materials or products which decompose by detonation shall be permitted unless specifically licensed by the Council, and then only in the II District. Such activity shall be conducted in accordance with the rules promulgated by the State Fire Marshal of the State of Ohio. Such materials shall include, but are not limited to, all primary explosives such as lead azide, lead styphnate, fulminates, and tetracene; all high explosives such as TNT, RDX, HMX, PETN, and picric acid; propellants and components thereof, such as nitrocellulose, black powder, boron hydrides, hydrazine and its derivatives; pyrotechnics and fireworks such as magnesium powder, potassium nitrate; blasting explosives such as dynamite and nitroglycerine; unstable organic compounds such as acetylides, telrazoles, and ozonides, strong oxidizing agents such as liquid oxygen, perchloric acid, perchlorates, chlorates, and hydrogen peroxide in concentrations greater than thirty-five per cent (35%); and nuclear fuels, fissionable materials and products, and reactor elements such as Uranium 235 and Plutonium 239.

The restrictions of this Article shall not apply to (1) the activities of site preparation or construction, maintenance, repair, alteration, modification or improvements of Buildings, equipment or other improvements on or within the Lot Line; (2) the operation of motor vehicles or other facilities for the transportation of personnel, materials or products; (3) conditions beyond the control of the user such as fire, explosion, accidents, failure or breakdown of equipment or facilities or emergencies; (4) safety or emergency warning signals or alarms necessary for the protection of life, limb or property; or (5) processes for which there are no known means of control shall be exempted from these provisions. Research shall be promptly conducted to discover methods of control leading to installation of corrective equipment.

The performance standards applicable to the District in which an operation or facility is located shall be used in determining the compliance or non-compliance of said operation or facility with such standards.

SECTION 2. DEFINITIONS. For the purpose of this Article, certain terms and words shall be interpreted and defined as follows:

DECIBEL. A unit of measurement of the intensity or loudness of sound. Sound level meters are used to measure such intensities and are calibrated in decibels.

FLASH POINT. The lowest temperature at which a combustible liquid under prescribed conditions will give off a flammable vapor which will burn momentarily using the closed cup method.

FOOT CANDLE. A unit of illumination. It is equivalent to the illumination at all points which are one foot distant from a uniform source of 1 candlepower.

FREE BURNING. A rate of combustion described by a material which burns actively and easily supports combustion.

INTENSE BURNING. A rate of combustion described by a material that burns with a high degree of activity and is consumed rapidly.

MODERATE BURNING. A rate of combustion described by a material which supports combustion and is consumed slowly as it burns.

OCTAVE BAND. A term denoting all of the frequencies from one given frequency to a second. In sound octave bands, the second frequency is usually twice the first one.

OCTAVE BAND FILTER. An electrical device which separates the sounds in each octave band and presents them to the sound level meter.

PARTICULATE MATTER. Finely divided liquid or solid material which is discharged and carried along in the air.

RESULTANT DISPLACEMENT. The maximum amount of motion in any direction and shall be determined by means of any three component (simultaneous) measuring system approved by the Village Planning Commission.

Ordinance Number 9-1961 (continued)

RINGELMANN NUMBER. The number of the area on the Ringelmann chart that most nearly matches the light-obscuring capacity of smoke. The Ringelmann chart is described in the U.S. Bureau of Mines information Circular 6888, on which are illustrated graduated shades of gray for use in estimating smoke density. Smoke below the density or Ringelmann No. 1 shall be considered no smoke or Ringelmann No. 0.

SLOW BURNING OR INCOMBUSTIBLE. Materials which do not in themselves constitute an active fuel for the spread of combustion. A material which will not ignite, nor actively support combustion during an exposure for five minutes to a temperature of 1200o F.

SMOKE. Small gas borne particles resulting from incomplete combustion, consisting predominantly of carbon and other incombustible material, excluding metallurgical fume and dust, and present in sufficient quantity to be observable independently of the presence of other solids.

SMOKE UNIT. The number obtained when the smoke density in Ringelmann number is multiplied by the time of emission in minutes. For the purpose of this calculation, a Ringelmann density reading shall be made at least once a minute during the period of observation; each reading is then multiplied by the time in minutes during which it is observed. The various products are then added together to give the total number of smoke units observed during the entire observation period.

THREE COMPONENT MEASURING SYSTEM. Instrumentation which can measure earthborne vibrations in three directions, that is, vibration occurring in a horizontal as well as a vertical plane.

VIBRATION. Oscillatory motion transmitted through the ground.

(Figure 1.)

INDUSTRIAL USES AND REQUIREMENTS

REQUIREMENT	TYPE OF USE	
	LIGHT INDUSTRIAL	INDUSTRIAL
District(s) in which use is permitted	B2 & I1	I1
Minimum front yard in feet	B2 ..... 60 I1 ..... 20	I1 ..... 20
Side Yard required in feet	20	20
Minimum rear yard in feet	20	20
Maximum building height in feet	B2 ..... 35 I1 ..... 60	I1 ..... 60
Maximum lot coverage in per cent of lot	80	80
Video clearance on corner lots	Yes	Yes

Centerville 2/61

FIGURE 1

LOADING AND UNLOADING BERTH REQUIREMENTS

GROSS FLOOR AREA OF INDUSTRIAL USE IN SQUARE FEET	NUMBER OF BERTHS REQUIRED
18,000 or Less	1
18,001 to 40,000	2
40,001 to 100,000	3
Each 40,000 Additional	1 Additional

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FIGURE 2

**SECTION 3.** A Light Industrial Use is one which creates a minimum amount of nuisance outside the plant; is conducted entirely within enclosed Buildings, does not use the open area around such Buildings for storage of raw materials or manufactured products or for any other industrial purpose other than transporting goods between Buildings; provides for enclosed Loading and Unloading docks; and such use conforms to the following performance standards:

1. Smoke. The emission of more than ten (10) smoke units per hour per stack and emissions in excess of Ringelmann No. 2 are prohibited. However, once during any 24 hour period for soot blowing, process purging and fire cleaning, each stack shall be permitted an additional ten (10) smoke units, during which time smoke up to and including Ringelmann No. 3 is permitted.
2. Particulate Matter. The rate of emission of particulate matter from all sources within the boundaries of any lot shall not exceed a net figure of one pound per hour per acre, of which no more than ten per cent (10%) by weight of particles larger than 44 microns (325 mesh) shall be allowed. Determination of the total net rate of emission shall be made as follows:
  - a. Determine the maximum emission in pounds per hour from each source of emission and divide this figure by the number of acres of lot area - thus obtaining a gross hourly emission rate per acre.
  - b. Deduct from the gross rate derived above, the appropriate correction factors for height of stack and stack velocity as listed in Tables I and II, thus obtaining the net rate of emission in pounds per hour per acre of each source.
  - c. Add together the individual rates of emission derived above of each source to obtain the total net rate of emission from all sources within the boundaries of the Lot. Dust and other types of air pollution, borne by the wind from such sources as storage areas, yards, roads and the like within lot boundaries, shall be kept to a minimum by appropriate landscaping, paving, oiling, fencing, or other acceptable means.
3. Odor. No activity or operation shall permit odors to be released which shall be detectable at the Lot Line.
4. Toxic and noxious materials. The emission of toxic and noxious materials shall not exceed the quantities determined by the following formula:

$$Q = 36 Cx^2 \quad \text{where}$$

Q is the maximum permitted quantity of toxic material emitted in the four hour period having the greatest average concentration (cubic feet).

C is the threshold limit value for toxic materials in Industry (parts per million by volume) as set forth in "Threshold Limit Values for Toxic Materials in Industry", 1955, issued by the Ohio State Board of Health, Division of Industrial Hygiene.

x is the nearest distance in thousands of feet from the stack, vent, flue or other discharge point to a Residence District or Business District boundary line ( $\frac{\text{ft}}{1000}$ ).

When C is given as milligrams per cubic meter, multiply this figure by 0.061, place it in the above formula and obtain Q in pounds permitted in four hours. If the material is emitted from open piles, ponds, tanks, areas, etc., the maximum permitted concentration measured at a Residence District boundary line shall be 10 per cent of the threshold limit value C.

5. Glare and Heat. No Industrial operation, activity or Structure shall cause intense heat in such a manner as to be a public nuisance or hazard across lot lines. No industrial operation, activity or Structure shall cause illumination at or beyond any Residence District boundary in excess of 0.1 foot candle.

6. Vibration. Any industrial operation or activity which shall cause at any time and at any point along the nearest adjacent Lot Line, earthborne vibrations in excess of the limits set forth in Column I (below) are prohibited. In addition, any Industrial operation or activity which shall cause at any time and at any point along a Residence District boundary line, earthborne vibrations in excess of the limits set forth in Column II are prohibited.

Vibration shall be expressed as resultant displacement in inches.

Frequency (Cycles per second)	I	II
	Displacement (Inches)	Displacement (Inches)
Below 10	.0008	.0004
10 to 20	.0005	.0002
20 to 30	.0002	.0001
30 to 40	.0002	.0001
40 and over	.0001	.0001

The above tabulation is for steady static vibration; this is defined as continuous vibration in contrast to discrete pulses. Impact vibration, that is, discrete pulses which do not exceed 100 impulses per minute, shall not produce in excess of twice (2 times) the displacement stipulated above.

7. Noise. At no point on the boundary of a Residence or Business District shall the sound pressure level of any operation or plant (other than background noises produced by sources not under control of this ordinance, such as the operation of motor vehicles or other transportation facilities) exceed the decibel limits in the octave bands designated below.

## Ordinance Number 9-1961 (Continued)

Octave Band Frequency (Cycles Per Second)	I Maximum Permitted Sound Level (In Decibels) ALONG RESIDENCE DISTRICT BOUNDARIES	II Maximum Permitted Sound Level (In Decibels) ALONG BUSINESS DISTRICT BOUNDARIES
	20 to 75	72
75 to 150	67	74
150 to 300	59	66
300 to 600	52	59
600 to 1200	46	53
1200 to 2400	40	47
2400 to 4800	34	41
above 4800	32	39

The prescribed limits of Column I are applicable between the hours of 8:00 A.M. and 6:00 P.M. At other times the allowable levels shall be reduced by six (6) decibels in every octave band.

Sound levels shall be measured with a sound-level meter and associated octave band filter, manufactured in compliance with standards prescribed by the American Standards Association. When sounds are of such short duration as not to be measured accurately with the sound-level meter, the impact noise analyzer as manufactured under standards of the American Standards Association shall be used to determine the peak value of the impact. Impacts shall meet the noise performance standards.

8. Fire Hazards. The storage, utilization or manufacture of solid materials or products ranging from incombustible to moderate burning is permitted.

The storage, utilization or manufacture of solid materials or products ranging from free or active burning to intense burning is permitted provided the following condition is met:

Said materials or products shall be stored, utilized or manufactured within completely enclosed Buildings having incombustible exterior walls and protected throughout by an automatic fire extinguishing system.

The storage, utilization or manufacture of flammable liquids or gases\* which produce flammable or explosive vapors, shall be permitted in accordance with TABLE III (exclusive of storage of finished products in original sealed containers).

9. Water Pollution. No industrial operation or activity shall discharge, or cause to be discharged, liquid or solid wastes into public waters unless in conformance with the provisions of the Stream Pollution Control Law of the State of Ohio and the regulations promulgated thereunder. Plans and specifications for proposed sewage and industrial waste treatment and disposal facilities shall be submitted to and approval obtained from the Stream Pollution Control Board of the State of Ohio.

SECTION 4. An Industrial Use is one which required both Buildings and open area for manufacturing, fabricating, processing, extraction, heavy repairing, dismantling, storage or disposal of equipment, raw materials, manufactured products or wastes, and land and/or buildings in this District shall be used so as to comply to the following performance standards.

1. Smoke. The emission of more than thirty (30) smoke units per hour per stack and emissions in excess of Ringelmann No. 2 are prohibited. However, once during any six hour period, for soot blowing, process purging and fire cleaning, each stack shall be permitted an additional ten (10) smoke units, during which time smoke up to and including Ringelmann No. 3 is permitted.

2. Particulate Matter. The rate of emission of particulate matter from all sources within the boundaries of any Lot shall not exceed a net figure of three pounds per hour per acre, of which no more than ten per cent (10%) by weight of particles larger than 44 microns (325 mesh) shall be allowed. Determination of the total net rate of emission shall be made as follows:

- Determine the maximum emission in pounds per hour from each source of emission and divide this figure by the number of acres of Lot area - thus obtaining a gross hourly emission rate per acre.
- Deduct from the gross rate derived above, the appropriate correction factors for height of stack and stack velocity as listed in Tables IV and V, thus obtaining the net rate of emission in pounds per hour per acre of each source.
- Add together the individual rates of emission derived above of each source to obtain the total net rate of emission from all sources within the boundaries of the Lot.

Dust and other types of air pollution, borne by the wind from such sources as storage areas, yards, roads and the like within Lot boundaries, shall be kept to a minimum by appropriate landscaping, paving, oiling, fencing or other acceptable means. Emission of particulate matter from such sources in excess of the weight limitations specified herein is prohibited.

3. Odor. No activity or operation shall permit odors to be released which shall be detectable at any Residence District boundary line. (In addition, such odor, when measured at the Lot Line, shall be rendered undetectable by mixing one volume of the odorous air with four volumes of clean air).

4. Toxic and noxious materials. The emission of toxic and noxious materials shall not exceed the quantities determined by the following formula:

$$Q = 90 Cx^2$$

where

Q is the maximum permitted quantity of toxic material emitted in the four hour period having the greatest average concentration (cubic feet).

C is the threshold limit value for toxic materials in industry (parts per million by volume) as set forth in "Threshold Limit Values for Toxic Materials in Industry", 1955, issued by the Ohio State Board of Health Division of Industrial Hygiene; x is the nearest distance in thousands of feet from the stack, vent, flue or other discharge point to a Residence or Business District boundary line ( $\frac{ft}{1000}$ ).

When C is given as milligrams per cubic meter, multiply this figure by 0.061, place it in the above formula and obtain Q in pounds permitted in four hours. If the material is emitted from open piles, ponds, tanks, areas, etc., the maximum permitted concentration measured at a Residence District boundary line shall be 25 per cent of the threshold limit value C.

5. Glare and Heat. The standards regulating Glare and Heat for a Light Industrial Use shall apply to an Industrial Use.

6. Vibration. Any industrial operation or activity which shall cause at any time and at any point along an II or Business District Boundary, earthborne vibrations in excess of the limits set forth in Column I (below) is prohibited. In addition, any industrial operation or activity which shall cause at any time and at any point along a Residence District boundary line, earthborne vibrations in excess of the limits set forth in Column II is prohibited.

Vibration shall be expressed as resultant displacement in inches.

Frequency (Cycles per Second)	I Displacement (Inches)	II Displacement (Inches)
Below 10	.0020	.0004
10 to 20	.0010	.0002
20 to 30	.0006	.0001
30 to 40	.0004	.0001
40 to 50	.0003	.0001
50 and over	.0002	.0001

The above tabulation is for steady state vibration; this is defined as continuous vibration in contrast to discrete pulses. Impact vibration, that is, discrete pulses which do not exceed 100 impulses per minute, shall not produce in excess of twice (2 times) the displacement stipulated above.

7. Noise. At no point on the boundary of a Residence or Business Districts shall the sound pressure level of any operation or plant (other than background noises produced by sources not under control of this Ordinance, such as the operation of motor vehicles or other transportation facilities) exceed the decibel limits in the octave bands designated below.

Octave Band Frequency (Cycles per Second)	I Maximum Permitted Sound Level (In Decibels) ALONG RESIDENCE DISTRICT BOUNDARIES	II Maximum Permitted Sound Level (In Decibels) ALONG BUSINESS AND II DISTRICT BOUNDARIES
	20 to 75	72
75 to 150	67	74
150 to 300	59	66
300 to 600	52	59
600 to 1200	46	53
1200 to 2400	40	47
2400 to 4800	34	41
above 4800	32	39

The prescribed limits of Column I are applicable between the hours of 8:00 A.M. and 6:00 P.M. At other times the allowable levels shall be reduced by six (6) decibels in every octave band.

Sound levels shall be measured in the manner prescribed for this standard for a Light Industrial Use.

8. Fire Hazards. The storage, utilization or manufacture of solid materials or products ranging from incombustible to moderate burning is permitted.

The storage, utilization or manufacture of solid materials ranging from free or active burning to intense burning is permitted provided the following condition is met:

Said materials shall be stored, utilized, or manufactured in a manner approved by the State Fire Marshal.

The storage, utilization or manufacture of flammable liquids or gases\* which produce flammable or explosive vapors shall be permitted in accordance with TABLE VI (exclusive of storage of finished products in original sealed containers).

9. Water Pollution. The standards governing water pollution for a Light Industrial Use shall apply to an Industrial Use.

#### SECTION 5. Other Provisions and Requirements for Light industrial and industrial Uses

Ordinance Number 9-1961 (Continued)

are as follows:

1. Each Use shall provide one Parking Space for each 3 employees thereof located on the same Lot as the Use, or within 300 feet on a site approved by the Board of Appeals.
2. Each Industrial Use shall provide Loading and Unloading Berths located on the same Lot as the Use, as specified in Figure 2.
3. Parking Space requirements may be waived by the Board of Appeals where 50 per cent or more of the area in a Block was occupied by Business or Industrial Structures at the time of passage of this Ordinance.
4. Groups of uses requiring Parking Space may join in establishing group public or employee parking areas with capacity aggregating that required for each participating Use.
5. One-half of an Alley abutting the rear of a Lot may be included in the Rear Yard, but such Alley space shall not be included for Loading and Unloading Berths.
6. The Building Height requirement in Figure I may be increased if the Buildings are set back, from front and rear property lines, one foot for each two feet of additional height above the maximum Building Height requirements.

(Tables I, Tables II, Tables III, Tables IV, Tables V & Tables VI)

TABLE I Allowance for Height of Emission*		TABLE II Allowance for Velocity of Emission*	
Height of Emission Above Grade (Feet)	Correction (Pounds per Hour per Acre)	Exit Velocity Up (Foot per Second)	Correction (Pounds per Hour per Acre)
50	0.01	0	0
100	0.05	20	0.03
150	0.10	40	0.09
200	0.15	60	0.15
300	0.30	80	0.34
400 and Above	0.50	100 and Above	0.50

\* Interpolate for intermediate values.

\* Interpolate for intermediate values.

TABLE III TOTAL CAPACITY OF FLAMMABLE MATERIALS PERMITTED, GALLONS*		
Industries Engaged in Storage and Distribution of Such Materials	Above Ground	Under Ground
Materials having a flash point above 100°F	Prohibited	100,000
From and including 100°F to and including 150°F	Prohibited	40,000
Materials having a flash point below 100°F	Prohibited	20,000
Industries Engaged in Utilization and Manufacture of Such Materials		
Materials having a flash point above 100°F	10,000	50,000
From and including 100°F to and including 150°F	1,000	50,000
Materials having a flash point below 100°F	500	10,000

\* When flammable gases are stored, utilized or manufactured and measured in cubic feet, the quantity in cubic feet (at S.T.P.) permitted shall not exceed 300 times the quantities listed above.

TABLE IV Allowance for Height of Emission*		TABLE V Allowance for Velocity of Emission*	
Height of Emission Above Grade (Feet)	Correction (Pounds per Hour per Acre)	Exit Velocity Up (Foot per Second)	Correction (Pounds per Hour per Acre)
50	0.03	0	0
100	0.13	20	0.03
150	0.30	40	0.10
200	0.38	60	0.28
300	0.65	80	0.45
400	1.00	100 and Above	1.00
500 and Above	1.50		

\* Interpolate for intermediate values.

\* Interpolate for intermediate values.

TABLE VI TOTAL CAPACITY OF FLAMMABLE MATERIALS PERMITTED, GALLONS*		
Industries Engaged in Storage and Distribution of Such Materials	Above Ground	Under Ground
Materials having a flash point above 100°F	100,000	400,000
From and including 100°F to and including 150°F	50,000	200,000
Materials having a flash point below 100°F	50,000	100,000
Industries Engaged in Utilization and Manufacture of Flammable Materials		
Materials having a flash point above 100°F	50,000	400,000
From and including 100°F to and including 150°F	10,000	200,000
Materials having a flash point below 100°F	5,000	100,000

\* When flammable gases are stored, utilized or manufactured and measured in cubic feet, the quantity in cubic feet (at S.T.P.) permitted shall not exceed 300 times the quantities listed above.

SECTION 6. Any Use permitted in the "B-2" General Business District, except residences which are prohibited, is permitted in the "II" Industrial District provided such Use meets the performance standard for a Light Industrial Use and the additional requirements for a Light Industrial Use indicated in Figure 1.

Section 3. Paragraph 2 of Section 3 of ARTICLE XV of said "Zoning Ordinance of 1955" which reads as follows:

2. Where dwelling units are erected above commercial and industrial structures in business, office and industrial districts, no side yards are required except such side yard as may be required in the district regulations for a commercial or industrial building on the side of a lot adjoining a dwelling district.

is hereby changed to read as follows:

2. Where dwelling units are erected above commercial structures in business districts, no side yards are required except such side yard as may be required in the district regulations for a commercial building on the side of a lot adjoining a dwelling district.

Section 4. Sub-paragraph (g) of paragraph 2 of Section 2 of ARTICLE XVI of said "Zoning Ordinance of 1955" which reads as follows:

(g) To determine whether an industry should be permitted within the "B-2" General Business and the "M-1" Industrial District because of the methods by which it would be operated and because of its effect upon uses within surrounding zoning districts.

is hereby changed repealed.

Section 5. A new Section is hereby added to ARTICLE XVII of said "Zoning Ordinance of 1955" which reads as follows:

Section 6. An application for a Zoning Certificate for any Use subject to the provisions of ARTICLE XII of this Ordinance shall be accompanied by a "Certificate of Compliance" subscribed by a registered professional engineer of the State of Ohio, certifying that the Use intended will satisfy the performance standards of the District in which it is to be located. The Administrative Officer may take ten (10) days in which to study the application, during which time he may consult with appropriate technical consultants. If, after the ten (10) day period, the Administrative Officer has not required any additional information or stated any objections in writing, the Administrative Officer shall issue the Zoning Certificate.

Section 6. The Zone Map, which is designated as the "District Map" of the Village of Centerville, is hereby amended by changing the following described tract of land from the "R-1" Single Family District to the "I-1" Industrial District.

Located in Section 19, Town 2, Range 6 MRs., Washington Township, County of Montgomery, State of Ohio, and being a tract of land described as follows: Beginning at a point in the East Corporation line of the Village of Centerville, said point of beginning being in the south line of said Section 19, and the centerline of Centerville Station Road; thence with the said East Corporation line of the Village of Centerville, North four degrees thirty-two minutes fifty seconds (4°32'50") East for one thousand eight hundred fifty-five and 88/100 (1,855.88) feet to the southwest corner of land conveyed to Margorie L. Nearing as recorded in Book 1482, Page 166, in the Deed Records of Montgomery County, Ohio; thence with the South Line of said Nearing land, North eighty degrees forty-three minutes thirty-two seconds (80°43'32") East for two hundred fifty-six and 33/100 (256.32) feet; thence continuing with the south line of said Nearing land, South eighty-four degrees seven minutes twelve seconds (84°07'12") East for three hundred thirty-three and 34/100 (333.34) feet; thence continuing with said south line of said Nearing land, South seventy-four degrees thirty minutes three seconds (74°30'03") East for five hundred twenty-four and 13/100 (524.13) feet; thence continuing with said south line of said Nearing land, South forty-five degrees thirty-seven minutes forty seconds (45°37'40") East for one hundred eighty and 66/100 (180.66) feet; thence continuing with the south line of said Nearing land, South twenty-four degrees forty-eight minutes fifty-three seconds (24°48'53") East for two hundred thirty-eight and 84/100 (238.84) feet to a point in the west line of land conveyed to the Pennsylvania Railroad (C.L. & N.), as recorded in Deed Book 132, Page 2, in the Deed Records of Montgomery County, Ohio, thence with said west line of said Pennsylvania Railroad land, South four degrees twenty-five minutes forty seconds (4°25'40") East for four hundred fifty-one and 31/100 (451.31) feet; thence continuing with the west line of said Pennsylvania Railroad land, on a curve to the right with a radius of five thousand six hundred ninety-seven and 00/100 (5,697.00) feet for eight hundred eighteen and 62/100 (818.62) feet; thence continuing with said west line of said Pennsylvania Railroad land, South three degrees forty-nine minutes twenty seconds (3°49'20") West for one hundred forty-six and 52/100 (146.52) feet to a point in the centerline of said Centerville Station Road and the south line of said Section 19; thence with said center line and south line North eighty-six degrees fifty-four minutes forty seconds (86°54'40") West for one thousand four hundred ninety-five and 18/100 (1,495.18) feet to the point of beginning containing fifty-nine and 803/1000 (59.803) acres, more or less.

Section 7. This Ordinance shall become effective from and after its passage and approval as provided by law.

Passed this 3rd day of April, 1961.

(Signed) Wm. O. Gimbel  
Mayor of the Village of Centerville, Ohio

ATTEST:

(Signed) Kenneth E. Poff  
Clerk-Treasurer of the Village of  
Centerville, Ohio

CERTIFICATION

I, KENNETH E. POFF, Clerk-Treasurer of the Council of the Village of Centerville,

Ordinance Number 9-1961 (Continued)

Ohio, do hereby certify that the foregoing is a true and correct copy of Ordinance Number 9-1961, passed and adopted by the Village of Centerville, Ohio, this 3rd day of April, 1961.

(Signed) Kenneth E. Poff  
Clerk-Treasurer of the Village of Centerville,  
Ohio

CERTIFICATE OF POSTING

I, KENNETH E. POFF, Clerk of the Council of the Village of Centerville, Ohio, do hereby certify that there is no newspaper printed in said municipality and that publications of Ordinance Number 9-1961 was duly made by posting true copies thereof at five of the most public places of said municipality, as determined by the Council, as follows:

Stage Coach Inn  
Centerville Market  
Shell Service Station  
Centerville Post Office  
First National Bank of Miamisburg

each for a period of fifteen days, commencing on the 3rd day of April, 1961.

Dated: April 3rd, 1961.

(Signed) Kenneth E. Poff  
Clerk-Treasurer of the Village of Centerville,  
Ohio

ORDINANCE NUMBER 10-1961  
VILLAGE OF CENTERVILLE OHIO

AN ORDINANCE TO AMEND ORDINANCE NUMBER 13-1959, BY ADDING SECTION 2 (a).

BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF CENTERVILLE, STATE OF OHIO:

Section 1. That Section 2 of Ordinance Number 13, 1959, be amended by adding the following:

"Section 2 (a) The person, firm or corporation desiring to acquire such a permit for the purpose of tapping into or connecting with any sanitary sewer line shall make application, in writing, to the Chairman of the Street Committee of the Village of Centerville. Before the Street Committee shall issue such permit, the applicant shall be required to pay a permit fee of Twenty (\$20.00) Dollars to cover necessary administrative and engineering expenses and to deposit the sum of Twenty-Five (\$25.00) Dollars. The permit fee and the deposit so required shall be paid in cash, certified check or postal money order to the Chairman of the Street Committee of the Village Council, who shall, in turn, transfer the deposit to the Clerk-Treasurer of the Village Council, and thereafter the permit shall issue."

Section 2. That this ordinance be and remain in force from and after the earliest period allowed by law.

PASSED this 3rd day of April, 1961.

(Signed) William O. Gimbel  
Mayor

ATTEST:

(Signed) Kenneth E. Poff  
Clerk-Treasurer

CERTIFICATE

I, Clerk of the Village of Centerville, Ohio, do hereby certify that the foregoing is a true and correct copy of Ordinance Number 10-1961, passed by the Council of said Village on the 3rd day of April, 1961.

(Signed) Kenneth E. Poff  
Clerk-Treasurer

CERTIFICATE OF POSTING

I, KENNETH E. POFF, Clerk of the Council of the Village of Centerville, Ohio, do hereby certify that there is no newspaper printed in said municipality and that publication of Ordinance Number 10-1961 was duly made by posting true copies thereof at five of the most public places of said municipality, as determined by the Council, as follows:

Stage Coach Inn  
Centerville Market  
Shell Service Station  
Centerville Post Office  
First National Bank of Miamisburg

each for a period of fifteen days, commencing on the 3rd day of April, 1961.

Dated: April 3rd, 1961

(Signed) Kenneth E. Poff  
Clerk-Treasurer