

ORDINANCE NUMBER 8-1959  
VILLAGE OF CENTERVILLE, OHIO

AN ORDINANCE TO CHANGE THE NAME OF LOUIS AVENUE IN THE VILLAGE OF CENTERVILLE TO WHITE BIRCH ROAD IN THE MANNER PROVIDED BY OHIO REVISED CODE, SECTION 723.04.

WHEREAS, the owners of all of the property abutting on Louis Avenue which has been improved by the construction of a house or houses have petitioned the Council of the Village of Centerville requesting that the name of Louis Avenue be changed to White Birch Road, and

WHEREAS, a hearing was duly held and the Council of the Village of Centerville was satisfied that there was and is good cause for such change of name, that such change of name will not be detrimental to the general interest, and that it should be made.

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

Section 1. That the name of Louis Avenue is now and henceforth changed to White Birch Road.

Section 2. The foregoing Ordinance is declared to be an emergency measure and shall take effect immediately upon its passage, the said emergency which is found and declared to exist being the fact that home mail delivery will be instituted by the Post Office on or about April 1st, 1959 and that the change in the name should be made at once to avoid public inconvenience and to insure the public welfare and safety which will result from the prompt delivery of mail from the inception of the home mail delivery program.

PASSED this 2nd day of March, 1959.

(Signed) Omer Jackson  
Mayor of the Village of Centerville, Ohio

ATTEST:

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

ORDINANCE NUMBER 9-1959  
VILLAGE OF CENTERVILLE, OHIO

BEING AN ORDINANCE TO AMEND CERTAIN PROCEDURES OF THE SUBDIVISION REGULATIONS OF CENTERVILLE, OHIO, BEING ORDINANCE NUMBER 10-1958 PASSED THE 28th DAY OF APRIL, 1958.

WHEREAS, it is deemed in the public interest and welfare that Ordinance Number 10-1958, known as the "Subdivision Regulations" of Centerville, Ohio, be amended in certain respects in order to clarify the procedures to be required of subdividers.

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

Section I. That the sections and subsections of the said Subdivision Regulations bearing the numbers and identifying designations as hereinafter set forth and described, be amended and modified as follows:

Section III - General

\* \* \*

C. In case improvements required by the provisions of these regulations are not completed in a subdivision prior to final plat approval, a contract, four (4) copies, between the subdivider and the Village of Centerville will be required to assure completion of such uncompleted improvements. It must be supported by a performance bond with corporate surety satisfactory to the Village Council equal to the cost of construction plus engineering fees for layout and inspection based on an estimate furnished or approved by the Village Engineer. This bond will be accepted on the basis that the improvements will be completed within the time specified in said agreement. In the event they are not completed within the time specified, then the Village of Centerville may relet the contract and the subdivider and the bonding company will be severally and jointly liable for the costs thereof.

Section IV - Preliminary Plat

A.\* Procedure

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4. Upon receipt of the written recommendations of the Village Engineer and the Utility Companies, the Board, within thirty (30) days, shall tentatively approve or disapprove the preliminary plat. If the preliminary plat is disapproved, then one (1) copy will be returned to the subdivider with the date of disapproval and any changes that will be required endorsed thereon. After requisite changes, the preliminary plat may be again submitted to the Board. At such time as the Board has approved a preliminary plat, it shall transmit same to the Village Council for approval or disapproval. Village Council shall approve or disapprove the preliminary plat within forty-five (45) days after receipt from the Board. If no action is taken by the Village Council in said forty-five (45) day period, the preliminary plat will be deemed to have been approved. If the Village Council approves the preliminary plat the Board will approve it, and shall return one (1) copy thereof to the subdivider with the date of said approval endorsed thereon. If the Village Council disapproves the preliminary plat, it shall return the same, with any changes that will be required endorsed thereon, to the Board, whereupon the same procedures will be followed as if the changes required by Village Council had been required by the Board. (Approval of the preliminary plat does not constitute acceptance of the plat. It is an approval only of the layout.)

Section V - Final Plat

A. Procedure

1. The subdivider shall prepare the final plat in accordance with the requirements listed herein and shall submit an original tracing in waterproof ink on cloth and seven (7) copies white print to the Board for review and approval.

2. The Board shall, within seven (7) days after the submission of the final plat, request recommendations concerning it from the Village Engineer and the Utility Companies. After receiving the recommendations of the Village Engineer and the Utility Companies, the Board shall notify the subdivider of any recommended changes or suggestions so that the subdivider may correct the final tracing and submit the same for final approval.

3. If the final plat conforms with the preliminary plat as tentatively approved in the manner provided in subsection A of Section IV, and with the requirements set forth in these regulations, the Board will obligate itself, subject to certain conditions hereinafter set forth in subsection A-4 of Section V, to give the plat its final approval. Such obligation shall take place within thirty (30) days after the submission of the final plat. If the Board takes no action within said thirty (30) day period, it shall be deemed to have obligated itself, subject to the conditions of subsection A-4 of Section V.

4. The obligation of the Board will be shown by the signature of an authorized officer of the Board on a white print of the final plat, which shall be returned to the subdivider. After such return, no changes of any kind in the final plat, or the drawings or documents supporting the same, may be requested, required or made.

5. If at the time for final approval of the plat all improvements in the plat have not been completed, upon receipt of a certificate of the Village Council that the requirements of subsection C of Section III of these regulations have been met and that such improvements as have been made have conformed with these subdivision regulations, then, acting in a ministerial capacity, an authorized officer of the Board shall finally approve the plat for and on behalf of the Board by signing the original tracing of the final plat. If all improvements have been completed and have been made in accordance with these subdivision regulations, then upon receipt of a certificate to that effect from the Village Engineer, an authorized officer of the Board shall so sign said original tracing. The original tracing of the final plat thus signed shall be filed in the office of the County Recorder, the County Auditor and the County Engineer of Montgomery County, Ohio, as required by law.

6. The subdivider shall immediately upon recording furnish the Board with one (1) reproducible tracing, two (2) 11" x 14" photostats and any similar data that the Board may require.

Section II. Section V A-7 of the said Subdivision Regulations shall be, and is hereby repealed and deleted from the said Subdivision Regulations.

Section III. That all of the provisions of Ordinance Number 10-1958 inconsistent with the foregoing amendments shall be repealed immediately upon passage of this Ordinance in the manner provided by law, and the foregoing provisions shall be amendatory and supplemental to the said Ordinance Number 10-1958. This amendatory ordinance shall take effect immediately by reason of the emergency character and nature of the same. An emergency is declared to exist because of the immediate necessity of controlling and securing adequate and proper installation of public improvements within the said Village of Centerville, Ohio.

PASSED this 20th day of April, 1959.

(Signed) Omer Jackson  
Mayor of the Village of Centerville, Ohio

ATTEST:

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

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J. B. Violet  
State Examiner