

AN ORDINANCE PRESCRIBING THE CONDITIONS UNDER WHICH THE VILLAGE OF CENTERVILLE WILL ACCEPT THE DEDICATION OF NEW STREETS, AND DECLARING AN EMERGENCY.

BE IT ORDAINED by the Council of the Village of Centerville, in the County of Montgomery and State of Ohio, three-fourths of the members elected thereto concurring:

Sec. 1. That before any plat or subdivision of land, wherein any street or alley is laid out or established within the Village of Centerville, is given final approval, the owner or subdivider of the land shall comply with the following requirements:

All streets, alleys and other public ways shall be graded to their full width, including side slopes to a grade approved by the Village Engineer; sidewalk, curb and gutters shall be constructed in accordance with the standard specifications of the Village. The roadways shall be crowned and gravelled and surface treated, or otherwise improved to the satisfaction of said Village Engineer; underground storm water drainage, such as sluices, culverts or pipe sewers, in order to eliminate the collection of surface water in any low spot and to take care of the drainage of any natural water course made necessary by the grading of the street; water mains and connections shall be installed in accordance with the approved lot lay-out; fire hydrants shall be provided, if water pipes are to be installed, even though no local protection is to be immediately available. The maximum spacing of hydrants shall be 600 feet. All of these improvements shall be completed prior to the approval of the final plat.

Provided, however, that in lieu of the completion of such work prior to the approval of the final plat, the village may accept a bond, executed by a surety or sureties, satisfactory to the Mayor, or a certified check on some solvent bank located within the County of Montgomery, guaranteeing the completion of the improvement within a reasonable period to be fixed by the Village. Said bond or check shall be in an amount at least equal to the estimated cost of the completion of the improvements, in form approved by the Village Solicitor and made payable to and enforceable by the Village Solicitor and made payable to the Village of Centerville, and in addition to the provision for money payment, said bond shall obligate the owner, subdivider or person making the plat and his surety or sureties to construct or complete the construction of said improvements.

Sec. 2. Street trees of a type appropriate for the specific location and variety approved by the Village Engineer should be planted on both sides of every street, where the grass strip between the curb and sidewalk is at least four feet wide, except at intersections, where there shall be no trees planted. Where the grass strip is of less width than four feet, the trees should be planted on the abutting property and an easement given of not less than four feet providing for their maintenance and care. These trees should not be over sixty feet apart.

Sec. 3. The plans and specifications of these improvements shall be checked by the Village Engineer and construction supervised by him, all expense of which shall be borne by the owner or subdivider.

If the Village Engineer finds upon inspection that any of the improvements, when executed, are not in accordance with the village specifications and standards, and not in accordance with the plat in the form in which it was approved, the responsibility of the village to provide services and utilities shall cease.

Sec. 4. Each section of this ordinance, and each subdivision of any section thereof, is hereby declared to be independent, and the finding or holding of any section or subdivision of any section thereof to be invalid or void, shall not be deemed or held to affect the validity of any other section or subdivision of this ordinance.

Sec. 5. In any particular case where compliance with the foregoing provisions would cause practical difficulty or unnecessary hardship, the Village Planning Commission shall have the right to vary the provisions of this ordinance, provided that it can be done in such a way as to grant relief and at the same time protect the general interest without destroying the fundamental principles and the purposes of this ordinance.

Sec. 6. The owner or owners of any premises where anything in violation of this ordinance shall be committed, and any person who assists in the commission of any such violation, and any person or corporation who shall violate any of the provisions of this ordinance or fail to comply therewith, or any requirement thereof, or who shall construct in violation of any statement or plan submitted and approved thereunder, shall, for every and each violation or non-compliance be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not less than twenty-five dollars nor more than two hundred dollars, and each day during which such violation or non-compliance shall continue shall constitute a separate offense.

Sec. 7. That this ordinance is declared to be an emergency measure for the reason that the public peace, health and safety of the Village of Centerville require the immediate definition of the conditions under which the Village of Centerville will accept the dedication of new streets, as several are about to be preferred, and shall take effect upon its passage.

Passed this 22nd day of July, 1940.

Attest:

Luella Brown (Signed)
Clerk

Approved:

Emory W. Bradstreet (Signed)
Mayor

ORDINANCE NO. 10 - 1940

AN ORDINANCE REGULATING BUILDING AND LAND USES IN THE VILLAGE OF CENTERVILLE, AND DECLARING AN EMERGENCY.

BE IT ORDAINED by the Council of the Village of Centerville, in the County of Montgomery and State of Ohio, three-fourths of the members elected thereto concurring:

Sec. 1. Pending the completion of a map and a comprehensive zoning ordinance for the Village of Centerville, the Village Planning Commission be and it hereby is empowered and authorized to pass upon any and all building projects contemplated within the corporate limits.

Sec. 2. That complete plans or sketches, specifications and plot plans of all proposed structures to be erected in said Village shall be submitted to the said Village Planning Commission and its permission obtained before work can proceed upon any such project. Permission shall be obtained from the Village Planning Commission before any repair work costing Fifty (\$50.00) Dollars or more can proceed.