

ORDINANCE NO. 2502

**AN ORDINANCE REGULATING THE USE AND PLACEMENT OF
OUTDOOR FURNITURE AT RESIDENCES LOCATED IN THE
VILLAGE OF DENNISON, OHIO**

WHEREAS, the Council of the Village of Dennison, Ohio has reviewed issues involving the use of outdoor furniture in the Village of Dennison, Ohio; and

WHEREAS, the Council of the Village of Dennison, Ohio, after such review, has determined that there is currently a need to regulate the use of outdoor furniture in the Village of Dennison, Ohio;

BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF DENNISON, OHIO AS FOLLOWS:

SECTION 1. No person shall place, use, keep, store, or maintain any upholstered furniture not manufactured for outdoor use, including, but not limited to, upholstered chairs, upholstered couches, and mattresses, in any outside areas located in the following places:

- In any front yard;
- In any side yard;
- In any rear yard or other yard that is adjacent to a public street;
- On any covered or uncovered porch located in or adjacent to any of the yards listed above.

SECTION 2. For purposes of this Ordinance, “yards” are defined as follows:

- The terms “front yard”, “rear yard”, and “side yard” refer to the open space between buildings and property lines at the front, rear, and sides of property, respectively;
- A “side yard” extends the full length of a lot as if a line running along the edge of a building was extended to intersect with the rear property line;
- On a corner lot, the open space adjacent to the shorter street right-of-way shall be considered the “front yard”;
- The “rear yard” is that yard located on the opposite side of the lot from the front yard.

SECTION 3. The interior of any fully enclosed porch (including, but not limited to, a porch enclosed by screening material) that cannot be accessed from outside except through a door that can be locked shall not be considered an outside area for the purpose of this Ordinance.

SECTION 4. The following shall constitute specific defenses to any alleged violation of this Ordinance

- That such furniture was placed in an outside location in order to allow it to be moved during a move of a resident or residents or removed as part of a trash or recycling program on a day scheduled for such moving or removal;
- That such furniture was temporarily placed in an outside location in order that it be offered for sale at a yard or garage sale, and a sign is affixed to the furniture indicating that it is for sale.

SECTION 5. If it is determined that an individual is violating this Ordinance, the individual shall initially be asked by Village police to immediately remove the furniture. The individual shall have 72 hours after such initial notification to properly remove and/or discard furniture.

SECTION 6. A person violating the request to remove the furniture, shall be assessed a \$25 fine for each day that the furniture is not removed after the required time period from the initial request.

SECTION 7. Upon the refusal of an individual to comply with the requirements of this Ordinance by removing the improperly placed furniture, the Police Department of the Village of Dennison, Ohio shall have the authority and discretion to cause the removal and/or discarding of the improperly placed furniture, and the property owner shall be solely responsible for the expense of such removal and/or discarding.

SECTION 8. This Ordinance shall take effect at the earliest time permitted by law.

First Reading: January 19, 2012
Second Reading: February 2, 2012
Third Reading: February 16, 2012

Passed: February 16, 2012

Tim Still, Mayor

Shannon Fawcett, Fiscal Officer

James J. Ong, Solicitor