

RECORD OF ORDINANCES

BEAR GRAPHICS 800-325-8094 FORM NO. 30043

26-1275

Ordinance No. _____ Passed _____, 20____

AN ORDINANCE AMENDING CHAPTER 1177, SECTION 1177.05 PARKING AND STORAGE OF CERTAIN VEHICLES AND REPLACING IT WITH SECTION 1177.05 PARKING AND STORAGE OF CERTAIN VEHICLES AND WATERCRAFT, ATTACHED AS EXHIBIT A.

WHEREAS, the Village of Russells Point adopted the current version of the Codified Ordinances of Russells Point, Ohio, Section 1177.05 by virtue of Ordinance Number 10-1045; and

WHEREAS, the Village Council of the Village of Russells Point believes it is in the best interest of the Village of Russells Point and its residents, and in the best interests of the health, safety, and security of the same to amend Section 1177.05 of the Codified Ordinances of the Village of Russells Point to better provide for the regulation of both vehicles and watercraft as set forth on Exhibit A, as the same is more tailored to best serve Village, its citizens, businesses and visitors.

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF RUSSELLS POINT, LOGAN COUNTY, OHIO:

SECTION I: The Village adopts Junk and Abandoned Motor Vehicles and Watercraft, attached as Exhibit A, which replaces Section 1177.05 of the Codified Ordinances of the Village of Russells Point, Ohio in its entirety.

SECTION II: The Village hereby amends Section 1177.05: PARKING AND STORAGE OF CERTAIN VEHICLES within the Codified Ordinances of the Village of Russells Point in its entirety.

Original Section:

~~1177.05 PARKING AND STORAGE OF CERTAIN VEHICLES.~~

~~Automotive vehicles without current license plates shall not be parked or stored in the Village on any private or public property other than in completely enclosed buildings. Parking of a disabled licensed vehicle—a vehicle not operable on public roads under its own power—within any district in the Village for a period of more than two (2) weeks shall be prohibited unless such vehicle is stored in an enclosed garage or other accessory building.~~

~~Watercraft (ORC 1546.01), recreational vehicles, and their trailers that have a current license/tags (ORC 1547.57) for use on public roads, waterways or land and any type of vehicle (other than human powered) that is for closed course competition or off road use, if not stored in a completely enclosed building may be stored in the rear or side yard of their owner, if they meet side and rear accessory set back requirements, are covered with a cover designed for that vehicle's outdoor storage (Not plastic sheeting, or blue, or canvas tarps etc.) and in a manner to deter access by children and animals, kept free of litter and vegetation, and which does not detract from the neighborhood.~~

~~(a) Watercraft, recreational vehicles, off road, or competition vehicles may be parked in owner's driveway for no more than two (2) consecutive days in any seven (7) day period for cleaning and/or maintenance~~

~~(b) Motor homes, all non-commercial trailers and non-commercial equipment on wheels (log splitters, roasters, etc) may be parked in their owner's side or rear yards providing they have current license and meet setback requirements.~~

~~(c) Licensed businesses which are actively engaged in the repair or sales of automotive, recreational, off road, or competition vehicles, watercraft or trailers may have unlicensed or disabled vehicles stored in the open if they are a part of their inventory for sales or repair. This section does not apply to land where licensed junk yards are established.~~

~~(d) No more than one commercial vehicle under 10,000 lbs (gross vehicle weight empty) may be parked only in the driveway on properties in zoning districts R-1, R-2, and R-3.~~

~~(e) Only vehicles owned and/or registered to the current tenant or resident may be stored in the open on property in zoning districts R-1, R-2, and R-3.~~

~~(f) Travel trailers (ORC 4501.01(Q)) when used as a dwelling for habitation (Section 1145.02(23)) shall only be located in approved travel trailer parks. The temporary storage of one travel trailer in the rear or side yard of the residence premises owned or leased by the owner of such travel trailer shall be permitted as long as the travel trailer is not used for human habitation or dwelling purposes during such temporary storage and all setback requirements are observed,~~

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~~and it is currently licensed. In the event of a corner lot, such temporary storage of a travel trailer shall not occur in the side yard which abuts the street right of way.~~

~~—(g)—Tents are prohibited from use as a dwelling for habitation (Section 1145.02(23)) purposes in all districts.~~

~~—All penalties for violation of this zoning provision shall be as provided under the penalties code of Section 1149.12. (Ord. 10-1045. Passed 4-5-10.)~~

SECTION III: The Villag hereby codifies Exhibit A as Section 1177.05 of the Village Ordinances which shall be known as Chapter 1177, Section 1177.05 Parking and Storage of Certain Vehicles and Watercraft of the Village of Russells Point Ordinances.

SECTION IV: The clerk is instructed to post this Ordinance and the attached Exhibit A on the Village website, and as otherwise required by law, to provide notice to the public of Chapter 1177: Section 1177.05: Parking and Storage of Certain Vehicles and Watercraft of the Codified Ordinances of the Village of Russells Point, Ohio.

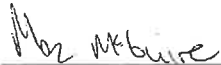
SECTION V: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this resolution were adopted in an open meeting of this council and that all deliberations of this Council, and any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements of the Ohio Revised Code.

SECTION VI: That all ordinances and resolutions inconsistent with this Ordinance be, and the same hereby are, repealed.

SECTION VII: This Ordinance shall be in full force and effect from the earliest period allowed by law.

Adopted: May 18, 2026


Mayor

Attest: 
Fiscal Officer

Approved as to Legal Form:

Solicitor

1st reading: April 20, 2026

2nd reading: May 4, 2026

3rd reading: May 18, 2026

EXHIBIT A

SECTION 1177.05: PARKING AND STORAGE OF CERTAIN VEHICLES AND WATERCRAFT

§ 1177.05

(a) PURPOSE.

A clean, wholesome, attractive environment is declared to be of importance to the health and safety of the inhabitants and the safeguarding of their material rights against unwarranted invasion and, in addition, such an environment is deemed essential to the maintenance and continued development of the economy of the Village, and the general welfare of its citizens. The unrestrained accumulation of motor vehicles or watercraft not in operating condition is hazardous to such health, safety, and welfare of the citizens of the Village, necessitating the regulations, restraint, and elimination thereof. This Section is enacted in recognition of the fact that even a single junk vehicle or watercraft abandoned or stored on private or public property:

- (1) Can constitute both a public and private nuisance.
- (2) Is a source of potential hurt to children and others who find them an attractive nuisance.
- (3) Is replete with, but not limited to, broken glass, sharp torn metal edges and points, gasoline remaining in tanks of a highly explosive nature and combustible nature, and hurtful acids in batteries, or other obvious sources of physical hurt found in junk vehicles.
- (4) Constitutes a blight on the landscape.
- (5) Destroys the aesthetic qualities of the Village and is generally unsightly.
- (6) Tends to depreciate not only the property on which it is located, but also the property of other persons in the neighborhood and the Village, generally.
- (7) Makes the Village a less safe and less pleasant place in which to live and to do business.
- (8) Damages the welfare of the Village as a whole.
- (9) Tends to result in uncontrolled grass and the collection of debris.
- (10) Tends to be a breeding ground for insects, rodents, and similar harmful creatures.

(b) DEFINITIONS; APPLICABILITY.

- (1) For the purposes of this Section the terms "abandoned" or "junk" motor vehicles and watercraft, are defined as follows, as well as other terms which shall apply in this Section unless the context clearly indicates or requires a different meaning.
- (2) ***ABANDONED MOTOR VEHICLE OR WATERCRAFT.***
 - (i) Any motor vehicle or watercraft which is left on private property for more than forty-eight (48) hours without the permission of the person having the right to the possession of the property.

- (ii) Any motor vehicle or watercraft which is left on public property for forty-eight (48) hours or longer without the permission of the Village Council through legislative action in an open meeting or Mayor of the Village, in writing.
- (3) **LICENSED.** Having a valid/current license plate (and sticker) appropriately attached or affixed to the motor vehicle or equivalent state registration for a watercraft.
- (4) **JUNKED MOTOR VEHICLE.**
- (i) A vehicle of any age that is damaged or defective including, but not limited to, any one or combination of any of the following ways that either makes the vehicle immediately inoperable, or would prohibit the vehicle from being operated in a reasonably safe manner upon the public streets and highways under its own power if self-propelled, or while being towed or pushed, if not self-propelled:
1. Flat tires, missing tires, missing wheels, or missing, partially or totally disassembled, tires and wheels;
 2. Missing or partially or totally disassembled essential part or parts of the vehicle's drive train, including, but not limited to, engine, transmission, transaxle, drive shaft, differential, or axle;
 3. Extensive exterior body damage or missing or partially or totally disassembled essential body parts, including, but not limited to fenders, doors, engine hood, bumper or bumpers, windshield, or windows;
 4. Missing or partially or totally disassembled essential interior parts, including, but not limited to, driver's seat, steering wheel, instrument panel, clutch, brake, gear shift lever;
 5. Missing, or partially or totally disassembled, parts essential to the starting or running of the vehicle under its own power, including, but not limited to, starter, generator or alternator, battery, distributor, gas tank, carburetor or fuel injection system, spark plugs, or radiator;
 6. Interior is a container for metal, glass, paper, rags or other cloth, wood, auto parts, machinery, waste or discarded materials in such quantity, quality, and arrangement that a driver cannot be properly seated in the vehicle;
 7. Lying on the ground (upside down, on its side, or at other extreme angle), sitting on blocks or suspended in the air by any other method;
 8. General environment in which the vehicle sits, including, but not limited to, vegetation that has grown up around, in or through the vehicle, the collection of pools of water in the vehicle, and the accumulation of other garbage or debris around the vehicle.
- (5) **INOPERATIVE MOTOR VEHICLE.** Any motor vehicle not moved for thirty (30) consecutive days shall be presumed to be inoperative.
- (6) **MOTOR VEHICLE.** Any device, including major part thereof in, or by which any person or property is or may be transported, including devices used exclusively on stationary rails or

tracks, and including devices to be pulled, drawn or towed by a motor vehicle, but not including devices moved by human or animal power. In addition, any recreational vehicle, camper, off road, motor homes, trailer, travel trailer, or competition vehicle, or the equivalent thereof, shall be considered to be included in the definition of Motor Vehicle.

- (7) ***ABANDONED JUNK VESSEL OR OUTBOARD MOTOR.*** Any vessel or outboard motor meeting all of the following requirements:
- (i) Any watercraft left in a sunken, beached or drifting condition for any period of time; or left in a docked condition on a public street or other property open to the public, private property without screening or covered storage, or upon or with the right of way of any waterway, road or highway, for forty-eight hours or longer without notification
 - (ii) to the Chief of Police of the Village of Russells Point with respect to the location of the vessel or motor, of the reasons for leaving the vessel or motor in any such place or condition;
 - (iii) It is three years old or older;
 - (iv) It is extensively damaged, such damage including but not limited to any of the following: missing deck, hull, transom, gunwales, motor or outdrive; and
 - (v) It is apparently inoperable;
- (8) ***INOPERATIVE WATERCRAFT.*** Any watercraft not moved, properly stored, or screened for thirty (30) consecutive days or which cannot move on under the method intended for the applicable watercraft shall be presumed to be inoperative.
- (9) ***WATERCRAFT.*** Any of the following when used or is capable of being used for transportation on water:
- (i) A boat operated by machinery either permanently or temporarily affixed;
 - (ii) A sailboat other than a sailboard;
 - (iii) Any powercraft;
 - (iv) An inflatable or manually propelled boat having a hull identification number assigned by and meeting the requirements of the United States Coast Guard; or
 - (v) A Canoe or rowboat.
- (10) ***ROWBOAT.*** Any vessel designed to be rowed and which is propelled by human muscular effort by oars or paddles and upon which no mechanical propulsion device, electric motor, internal combustion engine, or sail has been affixed or is used for the operation of such vessel.
- (11) ***SAILBOAT.*** Any vessel, equipped with mast and sails, dependent upon the wind to propel it in the normal course of operation.
- (i) Any sailboat equipped with an inboard engine is deemed a powercraft with auxiliary sail.
 - (ii) Any sailboat equipped with a detachable motor is deemed a sailboat with auxiliary power.
 - (iii) Any sailboat being propelled by mechanical power, whether under sail or not, is deemed a powercraft and is subject to all laws and rules governing powercraft operation.
- (12) ***POWERCRAFT.*** Any vessel propelled by machinery, fuel, rockets, or similar devices.
- (13) ***VESSEL.*** Every description of watercraft, including nondisplacement craft and seaplanes used or capable of being used as a means of transportation on water.
- (14) ***CANOE.*** A narrow vessel of shallow draft, pointed at both ends and propelled by human muscular effort, and includes kayaks.
- (15) ***INFLATABLE WATERCRAFT.*** Any vessel constructed of rubber, canvas or other material

which is designed to be inflated with any gaseous substance, constructed with two or more air cells, and operated as a vessel. Inflatable watercraft propelled by a motor shall be classified as powercraft and shall be registered by length.

- (16) **PUBLIC PROPERTY.** Any public street, highway, alley, sidewalk boulevard, bikeway, property open to the public for vehicular travel or parking, and any other property owned or operated by the Village, and any right-of-way thereof.
- (17) **PERSON.** Any individual, firm, partnership, company, unincorporated association, or corporation.
- (18) Unless otherwise provided, this Section applies to all watercraft operating on the waters of this Village. Nothing contained in this Section shall be construed in contravention of any valid federal or state act or regulation, but shall be deemed in addition thereto where not inconsistent therewith. The state shall have the exclusive right to regulate the minimum equipment requirements of watercraft operated upon the waters of this Village.

(c) STORING, PARKING, OR LEAVING JUNKED OR ABANDONED MOTOR VEHICLES OR WATERCRAFT PROHIBITED.

- (1) No person shall store, park, or have any motor vehicle or watercraft which is in a junked, abandoned, inoperative, dismantled or partially dismantled condition, whether attended or not, within the Village, upon any public or private property, for a period of time of forty-eight (48) hours or longer.
- (2) The presence of a junked, abandoned, inoperative, dismantled or partially dismantled motor vehicle or watercraft, on private or public property is a public nuisance which may be abated in accordance with the provisions of this Section.
- (3) This Section shall not apply to any motor vehicle or watercraft on private property which is stored in conformity with State laws, or if the motor vehicle or watercraft is a collector's vehicle, as defined in R.C. §4501.01(F).
- (4) No person shall be prevented from storing or keeping, or restricted in the method of storing or keeping any collector's vehicle on private property with the permission of the persons having the right to the possession of the property, except that a person having such permission may be required to conceal, by means of buildings, fences, vegetation, terrain or other suitable obstruction, any unlicensed collector's vehicle stored in the open.

(d) DISPOSITION OF JUNKED VEHICLE.

- (1) (A) No person in charge or control of any private property within the Village, whether as an owner, tenant, occupant, lessee or otherwise, shall allow any junked, inoperative dismantled or partially dismantled motor vehicle or watercraft to remain on such property longer than seven (7) days after notice is served, in any manner provided by the Ohio Rules of Civil Procedure for service of summons in civil actions, to remove the motor vehicle or watercraft from such property. A copy of said notice shall also be conspicuously affixed to the motor vehicle or watercraft if the surrounding facts and circumstances make it practicable to do so. The fact that such premises are rented or leased by the owner to another party shall not relieve such owner from the responsibility herein.
- (2) (B) If no person in charge or control of any such property can be found, notice to such persons

may be published once in a public place in the Village. Such motor vehicle or watercraft shall be removed by such person within seven (7) days after publication.

- (3) This Section shall not apply with regard to any motor vehicle or watercraft described in Section (c)(3) hereof.

(e) HEARING.

If the property owner, tenant or occupant, within seven (7) days after notice is served, as provided for herein, contends the vehicle is not a violation of this Section and desires a hearing, the owner, tenant or occupant shall set forth in writing their grounds for contesting the charge and request a hearing. The written grounds and request for a hearing shall be personally served upon the Chief of Police or deposited in the utility payment drop box.

The owner, tenant or occupant shall then be entitled to a hearing before the Zoning Board of Appeals, which shall decide whether a violation exists. The decision of the Zoning Board of Appeals will result in the filing of criminal charges, if a violation is found to exist and is not eliminated within the time allowed by the Board.

(f) PROCEDURE OF HEARING.

A hearing requested pursuant to Section (e) hereof shall be held as soon as practicable after the filing of the request. Persons requesting a hearing shall be advised of the time and place of said hearing. The scope of said hearing shall be limited to the following issues.

- (1) Whether the person requesting the hearing is in charge or control of the private property as charged; and
- (2) Whether the motor vehicle or watercraft is junked or inoperative as charged.

At any such hearing, the Village, and the persons to whom notices have been directed, may introduce such witnesses and evidence as each party deems necessary. The Zoning Board of Appeals shall then either affirm, reverse or modify the order.

(g) IMPOUNDING OF VEHICLES, REDEMPTION.

- (1) If a violation of Section (d) of this Section has not been remedied within the seven (7) day period of compliance, or in the event that a request for a hearing is filed as prescribed in Section (e) hereof, a hearing is held and the existence of the violation is affirmed, the vehicle may be impounded.
- (2) The impoundment of a vehicle may be effectuated by contacting any commercial towing and storage facility in Logan or a contiguous county.
- (3) The movement of a vehicle from private property to any public right-of-way, or to another location under similar circumstances constituting a violation of Section (c) hereof, shall not remedy a violation of Section (c) hereof, and a vehicle so moved remains subject to impoundment.

(h) RIGHT OF ENTRY; INSPECTIONS.

- (1) The Village police department and other representatives of the Village shall have the right to enter and inspect at any reasonable hour any premises on which vehicles are openly stored

and to inspect such vehicles. If within the time provided for such removal following service of a determination that a vehicle is a junk vehicle (including any extension of time resulting from any appeal or stay of execution), the open storage of the junk vehicle within the Village is not terminated, the junk vehicle shall be automatically deemed a public nuisance, and the Village, or a commercial towing and storage company, or a representative of the Village, shall have the right to enter and remove such vehicle from any premises within the Village where the vehicle may be found and to dispose of the vehicle. Neither the Village nor any person acting on behalf of the Village shall be liable to any person for the disposal or destruction of junk vehicles. The right of entry shall not be limited in any way by the existence or lack of existence of a request, authorization, license or other consent or approval of entry, inspection, or removal.

- (2) One or more of the owner, occupant and tenant shall be charged the actual cost of labor, equipment and disposal of the vehicle or vehicles with a minimum charge of one (1) hour of labor for the combined average wage of two (2) employees of the Village, and one (1) hour of the hourly wage of one (1) law enforcement officer on behalf of the Village. Such charges are due and payable by the owner, occupant or tenant within thirty (30) days of receipt of the invoice, or after the hearing before the Board of Zoning Appeals if a hearing is requested, after which the Village shall cause such charges, plus any legal fees and penalties meted out, to be placed upon the tax duplicate of the property for collection by the County Auditor.

(i) STORAGE BY WRECKERS, COMMERCIAL GARAGES, AND WRECKER-COMMERCIAL GARAGES.

- (1) If operations are permitted by state, county and local laws, including rights under any nonconforming uses, and including any limitations, restrictions or conditions established according to law by the Village, the zoning board of appeals, the planning board or any court of competent jurisdiction and are not in violation of any applicable private restrictive covenant or agreement filed or recorded in the county clerk's office:
 - (i) Any commercial wrecker service may store junk vehicles on one (1) site, but not on more than one (1) site, within the Village, provided that no junk vehicle is so stored within the Village for more than fifteen (15) days.
 - (ii) Any commercial garage may store junk vehicles on any one (1) site, but not on more than one (1) site within the Village, pending and during repair of such vehicles, provided that no junk vehicle is so stored within the town for more than sixty (60) days, or if a permit for extended storage is issued, for sixty (60) days, plus any extension permitted.

(j) PENALTY.

Whoever violates this Section is guilty of a minor misdemeanor on a first offense; a misdemeanor of the fourth degree on a second offense; and a misdemeanor of the third degree on each subsequent offense. A separate offense shall be deemed committed on each seventh (7) day during or on which a violation occurs or continues. Nothing herein contained shall prevent the Village from taking such other lawful action as is necessary to prevent or remedy any violation.