CODIFIED ORDINANCES OF MANTUA OHIO

CERTIFICATION

We, Linda Clark, Mayor and Jenny August, Clerk-Treasurer, pursuant to Ohio Revised Code 731.23 and 731.42, hereby certify that the general and permanent ordinances of the Village of Mantua, as revised, rearranged, compiled, renumbered as to sections, codified and printed herewith in component codes are correctly set forth and constitute the Codified Ordinances of Mantua, Ohio, 1992, as amended to May 15, 2018.

/s/ Linda Clark
Mayor

/s/ Jenny August
Clerk-Treasurer

Codified, edited and prepared for publication by THE WALTER H. DRANE COMPANY Cleveland, Ohio

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CITY OF MANTUA ROSTER OF OFFICIALS

(2018)

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JENNY AUGUST Clerk-Treasurer

and all other officers and employees who gave their time and counsel in the preparation of the 2018 Codified Ordinances ORDINANCE NO.____

AN ORDINANCE APPROVING, ADOPTING AND ENACTING THE CODIFIED ORDINANCES OF MANTUA, OHIO, 1992 REPEALING ORDINANCES IN CONFLICT THEREWITH AND PUBLISHING THE ENACTMENT OF NEW MATTER, AND DECLARING AN EMERGENCY.

WHEREAS, the Council of the Village of Mantua, Ohio, has had the matter of codification and general revision of the ordinances before it for some time; and

WHEREAS, it has heretofore entered into a contract with the Walter H. Drane Company to prepare and publish such codification; and

WHEREAS, the codification of such ordinances, together with the new matter to be adopted, the matters to be amended and those to be repealed are before the Council;

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village Mantua, Portage County, Ohio, three-fourths (3/4) or more of the members elected thereto concurring that:

<u>SECTION 1</u>- That the ordinances of the Village of Mantua, Ohio, of a general and permanent nature, as revised, codified, rearranged and consolidated into component codes, titles, chapters and sections are hereby approved, adopted and enacted as the Codified Ordinances of Mantua, Ohio, 1992.

One book-form copy of the Codified Ordinances shall be certified as correct by the Mayor and the Clerk-Treasurer, attached to this ordinance as a part hereof, and filed with the permanent ordinance records of the Village of Mantua, Ohio.

SECTION 2- The provisions of this ordinance including all provisions of the Codified Ordinances, shall be in full force and effect immediately after passage of this ordinance and its approval by the Mayor. All ordinances and resolutions or parts thereof enacted prior to January 1, 1992 which are inconsistent with any provision of the Codified Ordinances, are hereby repealed as of the effective date of this ordinance, except as follows:

(a) The enactment of the Codified Ordinances shall not be so construed to affect a right or liability accrued or incurred under any legislative provisions prior to the effective date of such enactment, or an action or proceeding for the enforcement of such right or liability. Such enactment shall not be construed to relieve any person from punishment for an act committed in the violation of any such legislative provision, nor to affect an indictment or prosecution therefor. For such purposes, any legislative provision, shall continue in full force notwithstanding its repeal for the purpose of revision and recodification.

- The repeal provided above shall not affect: (b)
 - The grant or creation of a franchise, license, right, easement or privilege. 1.
 - The purchase, sale, lease or transfer of property.
 - 2. 3. The appropriation or expenditure of money or promise or guarantee of payment.
 - The assumption of any contract or obligation. 4.
 - The issuance and delivery of any bonds, obligations or other instruments 5. of indebtedness.
 - The levy or imposition of taxes, assessments or charges. 6.
 - 7. The establishment, naming, vacating or grade level of any street or
 - The dedication of property or plat approval. 8.
 - The annexation or detachment of territory. 9.
 - 10. Any legislation enacted subsequent to January 1, 1992.

SECTION 3- The Clerk-Treasurer, pursuant to Ohio R.C. 731.23, shall cause to be published in a manner required by law a summary of the new matter contained in the Codified Ordinances. Any section of the Codified Ordinances without a legislative history at the end thereof indicates that such section contains new matter ordained by this Adopting Ordinance.

<u>SECTION 4-</u> This ordinance is hereby declared to be an emergency measure effective immediately upon its passage for the reason that this ordinance is immediately necessary for the proper maintenance of law and order in the Village and for the orderly administration of the various governmental functions of the Village.

Passed in Council this	_ day of, 1992.
	/s/ Mayor
s/ Clerk-Treasurer	

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EDITOR'S NOTE

The arrangement and numbering of the Codified Ordinances into component codes, titles, chapters and sections are based on an adaptation of the decimal numbering system which is similar to that used in the Ohio Revised Code, and in accord with the best accepted practice in instituting a codification. Each section is self-identifying as to code, chapter and section number. For example, 305.06 indicates that the code number is 3, the chapter number is 305 (or the 5th chapter within code 3), and the section number is .06. The code and chapter numbers appear left of the decimal, with the code number preceding the first two digits left of the decimal, and the chapter number being all digits left of the decimal. The section number appears right of the decimal. As another example, 113.10 indicates the code number is 1, the chapter number is 113 (or the 13th chapter within code 1), and the section number is .10.

This numbering system has the advantage of inherent flexibility in allowing for an almost endless amount of expansion. Codes, titles and chapters initially are odd-numbered, thus reserving the use of even numbers for future legislation. Sections within chapters are consecutively numbered, except that penalty provisions are usually assigned the number .99 as used in the Revised Code. Newly created sections subsequent to the original codification may be indicated by three digits right of the decimal in the event the law properly belongs between two consecutively numbered sections. For example, newly created 575.061, 575.062 and 575.063 follow 575.06 and precede 575.07 to be placed in their logical position.

Section histories enable a user to trace the origin of the law contained in the section. The history indicates the derivation by reference to either its passage date and the ordinance number originally assigned to it at that time, or to its inclusion in any prior code. Sections without histories indicate that the section contains new matter which was ordained by the Adopting Ordinance which enacts the Codified Ordinances.

The Comparative Section Table is included to show the disposition of every ordinance included in the Codified Ordinances. It indicates whether a given ordinance was consolidated with another into one section or split into two or more sections. Cross references direct the user to subject matter reasonably related to material contained within a given chapter.

GENERAL INDEX

EDITOR'S NOTE: References are to individual code sections. As additional aids for locating material, users are directed to:

- (a) The Comparative Section Table, which indicates in the Codified Ordinances the disposition of the ordinances or resolutions integrated therein.
 (b) The Table of Contents preceding each component code, and the sectional analysis preceding each chapter.
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			201 7 -23	J-20-1 4	771.11

Ord. No. 2014-31 2014-42 2014-46 2014-53 2015-15 2015-37	Date 7-15-14 11-18-14 10-21-14 1-20-15 5-19-15 12-15-15	C.O. Section 509.08 305.09, 305.10 121.03 941.14 135.01 173.01 to 173.21,	2017-09 2017-24 2017-25 2017-43 2017-45 2017-47	2-21-17 9-19-17 9-19-17 12-19-17 1-16-18 1-16-18	941.17 921.02 931.01 305.09(b) 305.07 145.01 to 145.04, 955.00 to 955.14,
		173.97, 173.98, 173.99	2017-53	12-19-17	955.99 173.03, 173.062,
2015-45	11-17-15	131.02			173.063, 173.091,
2016-05	1-19-16	173.07			173.10, 173.81
2016-26	4-19-16	305.09			to 173.95
2016-27	5-17-16	305.11	2018-19	6-19-18	505.11, 549.08
2016-30	5-17-16	955.01			
2016-46	9-20-16	957.05			
2016-47	9-20-16	921.04, 931.03			
2016-58	11-15-16	941.18			
2017-03	2-21-17	139.01			

EXPLANATION OF TABLES OF SPECIAL ORDINANCES

The Codified Ordinances of Mantua cover all ordinances of a general and permanent nature. The provisions of such general and permanent ordinances are set forth in full in the Codified Ordinances.

References must be made frequently to many special ordinances--particularly those related to property, such as dedications, vacating of property, easements, purchase, sale, etc. In the following Tables A through I, all such ordinances are listed. These tables list ordinances chronologically by subject, and include both a citation to and a brief description of each ordinance.

TABLES OF SPECIAL ORDINANCES OF MANTUA

TABLE A - Franchises

TABLE B - Easements

TABLE C - Vacating of Streets and Alleys

TABLE C - Vacating of Streets and Alleys
TABLE D - Dedication and Plat Approval
TABLE E - Acquisition and Disposal of Real Property
TABLE F - Lease of Real Property
TABLE G - Street Name Changes
TABLE H - Annexation and Detachment of Territory
TABLE I - Zoning Map Changes

TABLE A - FRANCHISES

<u>Ord. No.</u>	<u>Date</u>	<u>Description</u>
1966-437	8-8-66	Repeals Ords. 1966-435 and 1966-436.
1966-438	8-8-66	To East Ohio Gas Co. for natural gas.
1966-439	8-8-66	Fixes price for natural gas.
1967-11	6-12-67	To Ohio Edison Co. for electric service for 25 years.
1971-4	5-10-71	Amends Ord. 1964-395 and fixes maximum rates.
1980-21	10-13-80	To MBS Cable TV, Inc. for cable TV.
1980-26	1-12-80	To Tele-Media Co. for cable TV.
1982-60	11-8-82	To Univision Cable Systems of Ohio, Inc. for cable TV for 15 years.
1983-36	9-12-83	To Lynn Cable Communications, Inc. for cable TV for 15 years.
1983-40	10-10-83	Grants to Lynn Telecommunications, Inc. the same privileges and
		obligations granted to Lynn Communications, Inc.
1984-14	2-13-84	Adopts amendments and modifications to cable TV franchise with Lynn
		Telecommunications, Inc.
1996-8	5-13-96	To Ohio Edison to complete an electric system.
		•

TABLE B - EASEMENTS

Ord. No. 1988-26	<u>Date</u> 8-22-88	Description To Lamplighter Landings, Ltd. for purposes of a sanitary sewer
2002-40	10-15-02	and water line. Approves the assignment to the Mantua-Shalersville Fire District of an easement obtained by the Village from Lawrence Lietzow.
2002-41	10-15-02	Approves the assignment to the Mantua-Shalersville Fire District of an easement obtained by the Village from Lawrence Lietzow.
2003-29	5-20-03	Accepts the transfer of an easement from Mr. Norman Webb to the Village.
2006-13	4-4-06	Accepts the transfer of an easement from Mr. Ralph Gregory.
2007-27	9-18-07	Accepts an easement for storm sewer purposes from Delores J. and Brian E. Gregor.
2007-28	9-18-07	Accepts an easement for storm sewer purposes from Sean Ozimec and Karen Ozimec.
2008-44	11-18-14	Grants a non exclusive easement to the Portage County Park District for vehicle parking and limited right of way purposes within the easement area in the Village of Mantua.
2008-50	12-16-08	Accepts a non-exclusive easement from Mantua Property, Inc., for Footpath and Trail and associated purposes in the easement area in the Village of Mantua.
2009-4	1-20-09	Accepts a non-exclusive easement from Mantaline Corporation, for Footpath and Trail and associated purposes in the easement
2009-5	1-20-09	area in the Village of Mantua. Grants a non-exclusive easement to the Portage Park District for vehicle parking and limited right of way purposes within the easement area in the Village of Mantua; repealing Resolution 2008-44.
2012-36	6-19-12	Accepts an easement for storm sewer purposes from Brian E. Gregor.
2012-37	6-19-12	Accepts an easement for storm sewer purposes from Michael and Joan McCauley.
2012-68	10-25-12	Retroactively accepting an easement from the Crestwood Local School District.
2013-33	5-21-13	Accepts temporary and permanent easements for driveway purposes from Ralph W. Zoller II.
2013-94	11-19-13	Accepts an easement for sanitary sewer purposes from Mark Gonczy.
2013-95	11-19-13	Accepts an easement for sanitary sewer purposes from Judith Ann Gonczy.
2013-96	11-19-13	Accepts an easement for sanitary sewer purposes from the Crestwood Local School District Board of Education.
2013-97	11-19-13	Accepts an easement for Sanitary Sewer Purposes from Matthew
2013-98	11-19-13	and Lorrie Lee Berkey Benner. Accepts an easement for Sanitary Sewer Purposes from Kenneth and Beth Wayner.

TABLE C - VACATING OF STREETS AND ALLEYS

Ord. No.	<u>Date</u>	<u>Description</u>
183	11-1 -37	Line St. from Prospect to street owned by Ladies Cemetery Assn.
1964-396	5-11-64	Portions of E. College St. abutting Lots 38, 39 and 40.
1965-405	7-12-65	College St. between First and Second Sts.
1968-7	6-10-68	Vacating the unnamed street west of and parallel to Main St.
		from W. Prospect St. to Mill St.
1989-24	6-12-89	First St. from Prospect St. South and generally across the Erie
		Railroad right of way.
1998-12	6-8-98	A portion of Furon Road upon petition of Stamm Contracting Co.
2013-07	5-21-13	A portion of the unimproved public right of way known as the
		western portion of College Street.

TABLE D - DEDICATION AND PLAT APPROVAL

Ord. No.	<u>Date</u>	<u>Description</u>
226	7-11-49	Accepts the plat of Blairwood Estates Subdivision #1.
235	8-6-51	Accepts dedication of part of Township Lot #41 for Mantua
		Community Park.
1963-389	7-8-63	Accepts dedication of Reservoir Dr.
1970-12	6-8-70	Accepts dedication of Reservoir Dr.
1988-25	8-22-88	Accepts dedication of Sontag Lane.

TABLE E - ACQUISITION AND DISPOSAL OF REAL PROPERTY

Ord. No.	<u>Date</u>	<u>Description</u>
1961-371	11-13-61	Authorizes sale of part of Township Lot #41.
1964-400	11-9-64	Authorizes sale of certain Village Land.
1965-404	7-12-65	Authorizes purchase of property on E. High St. for park purposes.
1966-427	3-25-66	Authorizes sale of part of original Township Lot #41.
1966-442	11-14-66	Authorizes purchase of property on High St. from General
1077 17	0.11.67	Council of the Assemblies of God, Inc.
1967-17	9-11-67	Sale of certain lands in Village Lot #41.
1978-7	4-10-78	Authorizes sale of property fronting on E. High St.
1978-19	7-10-78	Accepts bid of Mantaline Corp. for property fronting on High St. Authorizes purchase of real estate from T.S. and J.Y. Muhlfelder
1989-25	6-12-89	Authorizes purchase of real estate from T.S. and J.Y. Muhlfelder and payment therefor.
1989-26	6-12-89	Authorizes purchase of real estate from English Realty, Inc. and
1909-20	0-12-09	payment therefor.
1989-27	6-12-89	Accepts the donation of land from English Realty, Inc.
1993-18	5-10-93	Purchase of property from Stamm Contracting Co. for the Village
		Water System facilities.
1998-3	2-9-98	Authorizes land purchasing agreement with Stamm Contracting
		Co.
2002-30	8-20-02	Accepts the donation of property by Dean Stebbins.
2004-34	11-16-04	Approves the Old Fire Station purchase agreement between the
••••	4.000	Village and the Mantua Township Trustees.
2009-2	1-20-09	Ratifying the sale of the real estate known as the Government
2012.27		Center.
2013-37	5-21-13	Accepts the donation by the Stamm Contracting Company of
		Portage County Permanent Parcel Number 24-040-20-00-012-
2012.00	10 15 10	000.
2013-80	10-15-13	Accepts the bid of Ralph W. Zoller II for the sale of real property
		owned by the Village; authorizing the Mayor to execute a quit
2012.06	10 15 10	claim deed conveying said property.
2013-86	10-15-13	Repealing Ordinance 2013-54, accepting the revised offer of the
		State of Ohio Department of Transportation relating to the
2012 100	11 10 10	acquisition of land for Project Number 82913.
2013-100	11-19-13	Authorizes the conveyance of certain lands owned by the Village
		to the Ohio Department of Transportation in relation to Project
		Number 82913.

TABLE F - LEASE OF REAL PROPERTY

Ord. No.	<u>Date</u>	<u>Description</u>
Res.		
285	4-14-58	Approves lease of land contiguous to Village Park.
Res.		
322-1959	6-8-59	Approves lease of land contiguous to Village Park.
1973-6	5-14-73	Authorizes lease of laboratory facilities at the Village wastewater
		treatment plant.
1973-21	11-12-73	Authorizes lease of laboratory facilities at the Village sewage
		disposal plant and fixes a price.
1980-16	7-14-80	Authorizes lease of Conrail property for a public municipal
		purpose, and establishes a price.

TABLE H - ANNEXATION AND DETACHMENT OF TERRITORY

<u>Ord. No.</u>	<u>Date</u>	<u>Description</u>
1989-35	8-14-89	Annexation to the Village of certain territory in the Township.

TABLE I - ZONING MAP CHANGES

Ord. No.	<u>Date</u>	<u>Description</u>
Res.		•
1962-337	7-9-62	Part of Township Lot #35 from residential to commercial.
1962-377	8-13-62	Enlarging commercial district to include part of Township Lot #35.
1980-9	4-14-80	Buckeye Pipeline Co. property from R1 residential to I industrial.
1983-30	8-8-83	Buckeye Pipeline Co. property from R1 residential to I industrial. Property at 4624 W. Prospect St. from R2 residential to C commercial.
1986-12	4-14-86	Property bounded by E. High St., Peck Rd. and Buckeye Pipeline property from R1 residential to C commercial.
1987-14	5-11-87	Property located on E. High St. and Peck Rd. from R1 residential to I industrial.
1987-30	7-13-87	Property located east of Park St. from R1 residential to R3 multifamily.