

VILLAGE OF ROCKFORD ORDINANCES

ORDINANCE: 07-03-01

AN ORDINANCE REGULATING SOUND AMPLIFICATION SYSTEMS IN VEHICLES

WHEREAS, the uses of loud sound amplification systems in vehicles presents a health and safety hazard to the citizens and motoring public of the Village of Rockford; and

WHEREAS, the use of loud sound amplification systems in vehicles can prevent the operator of the vehicle and others from hearing approaching or overtaking emergency vehicles; and

WHEREAS, the use of loud sound amplification systems in vehicles interferes with the comfortable enjoyment of life, property and recreation, and with the conduct and operation of business and industry; and

WHEREAS, the use of loud sound amplification systems in vehicles causes nuisances;

NOW THEREFORE, be it ordained by the Council of the Village of Rockford, Mercer, County, Ohio, two-thirds of the members elected thereto concurring, to it:

- Section 1:
- (A) That no operator or passenger of a motor vehicle shall operate, or permit the operation of any sound amplification system with can be heard outside the vehicle from 150 or more feet when the vehicles is being operated or parked upon a street highway, or private property used by the public for purposes of vehicular travel or parking.
 - (B) "Sound amplification system" shall include any radio, tape player, compact disc player, loud speaker, or other electronic device used for the amplification of the human voice, music, or any other noise or sound.
 - (C) It is an affirmative defense to a charge under this section that the operator was not otherwise prohibited by law from operation the sound amplification system, and that any of the following apply.
 - (1) The system was being operated to request medical or vehicular assistance or to warn of a hazardous road condition.

- (2) The vehicle was an emergency or public safety vehicle.
- (3) The vehicle was owned and operated by Federal, State, or Local Government agency; or a gas, electric, communications, refuse, water utility company, or construction company.
- (4) The vehicle is being used in a parade.

Section 2: That the penalty for this offense shall be as follows:

- (A) First offense shall be considered first and ONLY warning issued by the Village of Rockford Police Department, Mercer County Sheriff Department, or Ohio State Highway Patrol.
- (B) Second offense shall be considered a Minor Misdemeanor with the fine not to exceed that which is allowable under the Ohio Revised Code.
- (C) Third Offense shall be considered a Misdemeanor IV with the fine and other appropriate punishment not to exceed that which is allowable under the Ohio Revised Code.

ORDINANCE #11-22-02

AN ORDINANCE REQUIRING CONTRACTORS DOING BUSINESS IN THE VILLAGE OF ROCKFORD, OHIO TO MAKE APPLICATION FOR CERTIFICATE OF REGISTRATION, AND DECLARING AN EFFECTIVE DATE.

BE IT ORDAINED BY COUNCIL OF THE VILLAGE OF ROCKFOD, OHIO

SECTION ONE

No person, firm, or corporation shall act or engage in the business of building construction, repair, removal, alteration or demolition for others within the Village of Rockford, unless the person, firm, or corporation has received a Certificate of Registration; however the owner-occupant of a single dwelling house may carry on any of the work referred a proper permit is obtained through the Zoning Commissioner for the work to be done.

SECTION TWO

The Village Clerk shall issue the Certificates of Registration upon receipt of sufficient information and evidence from the applicant to qualify him for his certificate. The Village Council shall have the power to revoke any Certificate of Registration for violations of the Zoning Code after a Public Hearing has been held for such action.

SECTION THREE

Any applicant for a new registration certificate shall pay a fee of Ten (\$10) Dollars to the Village of Rockford. The Certificate shall be in effect in conjunction with the calendar year in which it is issued, and shall be renewable for the amount of Ten (\$10) Dollars in subsequent years provided that the registrant applies and pays said renewal fee on or before January 10th.

Failure of a registrant to make application for renewal by January 10 in subsequent years will cause forfeiture of the existing certificate of registration and the holder will be forbidden to perform any work governed by the Zoning Board until a new certificate is issued.

SECTION FOUR

Contractors hereby further agree to withhold all Village Income Taxes due or payable under the Provisions of *Ordinance No. 8-85, Village of Rockford, for wages, salaries, and commissions paid to its employees and further agree that any of its subcontractors shall be required to comply with this ordinance.

SECTION FIVE

Any person, firm or corporation violating the provisions of this ordinance shall be fined a maximum of One Hundred (\$100) Dollars for each offense. A separate offense shall be deemed committed each day during or on which a violation occurs or continues.

SECTION SIX

This Ordinance shall take effect and be in force from and after January 1, 2003.

* Ordinance No 8-85 – Village of Rockford Income Tax Ordinance

RESOLUTION #01-03-02

A RESOLUTION ESTABLISHING RULES OF CONDUCT FOR VILLAGE COUNCIL OF ROCKFORD, OHIO, DECLARING AN EFFECTIVE DATE, AND DECLARING AN EMERGENCY.

WHEREAS, the Council of the Village of Rockford is required by Ohio Revised Code Section 731.45 to establish its own rules and keep a journal of its proceedings.

WHEREAS, the Council of the Village of Rockford has established Rules of Order for proceedings, and maintains a journal of its proceedings.

WHEREAS, the Council of the Village of Rockford, in response to requests by citizens of the Village of Rockford, and of its own accord desires to enhance the accountability and conduct of its members.

THEREFORE, let it be resolved:

SECTION ONE

The Rockford Village Council adopts the following Rules of Conduct to be in place and adhered at all times by members of the legislative authority.

The adoption of this resolution is permitted under Ohio Revised Code Section 731.45, and is in the best interest of the Village of Rockford and its citizens; and therefore, shall go into effect at the earliest date possible upon adoption by the Council of the Village of Rockford, and approval of the Mayor.

SECTION TWO – Conduct of Council Member

- 2.1 All members of the Village Council have equal votes. No Council member has more power than any other, and all members shall be treated with equal respect.
- 2.2 As a Council member it is important, at all times, to act in a manner that enhances community confidence.
- 2.3 These Rules of Conduct do not prohibit or infringe on any member's right to freedom of speech or possession of an opposing viewpoint. Members are entitled and encouraged to share their viewpoint(s), provided it is done in a professional manner, and with the utmost respect for others.
- 2.4 No member of the legislative authority, especially when acting in his/her official capacity or in dealing with the public, shall commit any act or utter any comments which would bring an embarrassment to the Village of Rockford.

- 2.5 Members should, at all time, ensure their actions and statements provide a positive image and public perception of the Village and work to enhance and improve the Village, other members of Council, and the Village employees. At no time shall a member of the council commit an act or make remarks, which are derogatory, degrading, belittling, sarcastic or malicious toward another member of Council, the Village, Mayor or Village employees. Opposing viewpoints of Council members, the Mayor or Village employees may be shared, provided they are not presented in a manner violating these rules of conduct or any other laws of the Village or State of Ohio.
- 2.6 Members of the Village Council shall conduct themselves in accordance with all aforementioned sections and the following:
- 2.6.1 Act properly, professionally, and in accordance with the requirements of the law and the terms of these Rules of Conduct.
 - 2.6.2 Full participate in Village Council meetings and other public forums, while demonstrating respect, kindness, consideration, and courtesy to others.
 - 2.6.3 Act in good faith; honestly, for the purpose of the community and not one's personal agenda. Acting in the interest of the community and Council, without exceeding their lawful powers.
 - 2.6.4 Make no allegations which are unseemly or derogatory in public forums pertaining to matters of Village business, employees, or other Council members.
 - 2.6.5 Refrain from any form of conduct, especially in performance of their official duties and while in public forums, which may cause any reasonable person unwarranted offense or embarrassment; or bring embarrassment to the Village.
 - 2.6.6 Observe the highest standards of honesty and integrity, and avoid conduct, which may suggest any departure from this standard.
 - 2.6.7 Ensure confidential information is guarded and handled with the utmost sensitivity.
 - 2.6.8 Always act in accordance with their obligation of loyalty to the Council and Village; serving as a model of leadership and civility to the community.

SECTION THREE- Violation and Enforcement

- 3.1 Violation of these established rules may be considered malfeasance, misfeasance, or non-feasance; and is a violation of rules established under Ohio Revised Code Section 731.45.
- 3.2 Violation of these rules may result in disciplinary action in accordance with provisions of Ohio Revised Code Section 731.45.
- 3.3 These rules shall be enforced by the Council of the Village of Rockford as provided by Ohio Revised Code Section 731.45.

PASSED THIS 2ND DAY OF JANUARY 2002

SECTION 32.081
CODIFIED ORDINANCES
OF
VILLAGE OF ROCKFORD, OHIO
COUNCIL RULES OF ORDER

SECTION ONE

The Rockford Village Council adopts the following Rules of Order to be in place and followed during all council sessions and meetings.

SECTION TWO – MEETINGS

- 2.1 **Regular Meetings** – the Council of the Village of Rockford will meet at 7:30 pm on the first and third Tuesday of each month, unless postponed or canceled for valid reason.
- 2.2 **Special Meetings** - The Village Clerk/Treasurer shall call special meetings upon request of the Mayor, or three members of council.
- 2.3 **Public Notice** - The agenda for all regular meetings of the legislative authority of the Village of Rockford shall be made available to any and all interested parties. The agenda will be made available at the Village office. Notice of special meetings of the council shall be made as required by the Ohio Revised Code.
- 2.4 **Quorum** - Four (4) members of the council shall constitute a quorum.
- 2.5 **Compelling Attendance** - A lesser number than a quorum may adjourn from meeting to compel the attendance of absent members said members are available.
- 2.6 **Village Administrator Participation** – The Village Administrator shall attend all meetings, or send a qualified representative unless excused by the Mayor. The Village Administrator may make recommendations to the council and shall have the right to take place in all discussions relative to the powers and authorities provided him by the Ohio Revised Code and Village ordinance.
- 2.7 **Village Solicitor Participation** – The Village Solicitor shall attend, or be a available to counsel during meetings, at the request of the Mayor and/or Council.

- 2.8 **Clerk/Treasurer Participation** – The Clerk/Treasurer shall attend all meetings of the council and keep accurate records of all actions taken by village council.
- 2.9 **Executive Sessions** - The Village Council may meet in executive session when it is scheduled by the Mayor or upon request of council, and when in compliance with the Ohio Open Meetings Laws. No vote shall be taken in executive session. Any actions, discussed and agreed to be taken, must be made and adopted by council in open session.
- 2.10
- 2.11 Each Committee of Council shall meet at least once per quarter and Report to Council the minutes of said meetings.
- 2.12 **PUNCTUALITY AND BREAKS** – Village Council members shall arrive at meetings at or before the scheduled meeting time. Council members may make a motion to recess at anytime provided such a motion is in order, and in compliance with Roberts Revised Rules of Order.

SECTION THREE – CODE OF CONDUCT

- 3.1 Village Council Members
- 3.1.1 During council meetings, members shall assist in preserving order and decorum and shall neither by conversation or otherwise, delay or interrupt the proceedings; nor refuse to obey the orders of the presiding officer, the rules established within this ordinance, or in cases where no village rules is established, *Robert's Revised Rules of Order*.
- 3.1.2 A Village Council member desiring to speak shall address the chair, and upon recognition by the presiding officer, shall confine discussion to the question under debate, avoid discussion of personalities and indecorous language, and refrain from personal attacks and verbal abuse. Council members in violation of this section shall be ruled out of order by presiding officer. If the presiding officer fails to act, any other member may raise the point of order and compel the chair act.
- 3.1.3 A council member may speak no more than twice on any one agenda topic, and each time shall be allotted not more than five (5) minutes. After 9:00 pm the time shall be limited to two (2) minutes. Time limits may be extended by motion, second and majority vote. Any responses to a council members question(s) will

not be included in the members speaking time provided the question(s) is/are directed to an individual. The chair shall ensure all responses are brief and concise.

- 3.1.4 A village council member desiring to question any member of the village employees, shall address questions to the employee's manager, either the Village Administrator or Mayor, who shall be entitled to either answer the inquiries or to designate the employees to address them. Council members shall not berate badger, belittle or speak to employees in a derogatory or sarcastic tone. Members in violation of the section shall be ruled out of order, and will not be permitted for further, questioning of employees.
- 3.1.5 A village council member, once recognized, shall not be interrupted while speaking unless called to order by the presiding officer, unless a point of order is raised by another council member, or unless the speaker chooses to yield to questions from another member. If a council member is called to order while speaking, that member shall cease speaking immediately until the question of order has been determined. If ruled to be in order, the member may proceed. If ruled out of order, the member shall remain silent or make additional remarks to comply with the rules. Any member ruled out of order, who fails to yield and cease speaking shall be called to order a second time. If the member again refuses to comply with the presiding officer, the member will be in violation of **OHIO REVISED CODE SECTION 2917.12 DISTURBING A LAWFUL MEETING, A MISDEMEANOR OF THE FIFTH DEGREE**. The Sergeant at Arms will, at the direction of the presiding officer, remove the offending member by necessary means, and said member will not be permitted to return to the session and shall be cited under the aforementioned section the ORC.
- 3.1.6 Village Council members shall confine the questions to the matters before the assembly and in debate, and shall confine their remarks to the issue before the council.
- 3.1.7 Where there is more than one speaker on the same subject, council members will delay their comments until after all speakers have been heard.
- 3.2 Village Employees
 - 3.2.1 Village employees shall observe the same rules of procedures and decorum applicable to members of council.
 - 3.2.2 Although the presiding officer has the authority to preserve decorum in meetings, the Village Administrator is also responsible for the orderly conduct and decorum of all employees under his/her supervision.

3.2.3 The Mayor, or Village Administrator shall take such disciplinary action as may be necessary to ensure decorum is preserved at all times by village employees under their direct control.

3.2.4 All persons addressing the Village Council, including the Village Administrator, village employees, or members of the public shall first be recognized by the presiding officer; and shall limit their remarks to matters under discussion.

3.2.5 All remarks and questions addressed to the council shall be addressed to the council as a whole, and not to any individual member.

3.2.6 No employee, other than the employee having the floor, shall enter into any discussion either directly or indirectly without permission of the chair.

3.3 Citizens and Visitors

3.3.1 Citizens and visitors are welcome and encouraged to attend all public meetings of the Village Council, and will be admitted to the council chamber provided adequate space is available.

3.3.2 All attendees of the meetings shall refrain from private conversations while council is in session. It is the duty of the presiding officer to ensure compliance with this section. Individuals found in violation of the section shall be requested to cease their discussion. If the presiding officer finds the individual in violation a second time, the offender may be asked to remove him/herself from the meeting; or be aided in leaving the meeting by the Sergeant at Arms, at the request of the presiding officer or a majority of council.

3.3.3 Citizens and visitors attending council meetings shall observe the same rules of propriety, decorum, and good conduct applicable to members of council. Any person making personal, impertinent, profane, or slanderous remarks; or who becomes boisterous while addressing council may be removed as provided in section 3.3.2 of this ordinance.

3.3.4 Unauthorized remarks from the audience, stamping of feet, whistles, yells and similar demonstrations shall not be permitted by the presiding officer, who may effect the offenders' removal by the Sergeant at Arms. Anyone in gross violation of this section will be in violation of section 2917.12 of the Ohio Revised Code.

3.4 Enforcement

3.4.1 The Chief of Police, or his assigned officer, shall act as Sergeant at Arms for the Village Council and shall furnish whatever assistance is needed to enforce the

rules of the council, ordinances of the village, and laws of the State of Ohio and the United States of America.

SECTION FOUR – DUTIES AND PRIVELGES OF MEMBERS

- 4.1 **Seating Arrangement** - Village Council members shall select their seat at the first meeting of the year, and shall occupy those seats for as long as desired. Members may switch seats provided it is agreed to by both affected members.
- 4.2 **Right of Floor** - A Village Council member who desires to speak must be recognized by the presiding officer. No member shall address the presiding officer or demand the floor while a vote is being taken.
- 4.3 **Conflict of Interest** –A member prevented from voting by a conflict of interest shall be required to leave the council session during debate and shall not vote on the matter.
- 4.4 **Right of Appeal** – Any member may appeal to the Village Council, the ruling of the presiding officer. If the appeal is seconded, the member making the appeal may briefly explain the ruling; but there shall be no debate on the appeal, and no other member shall participate in the discussion. The presiding officer shall then put the question, “Shall the decision of the chair be sustained?” If a majority of the members vote ‘Yes’, the ruling of the chair is sustained; otherwise, it is overruled.
- 4.5 **Voting order** - will be determined as motion votes 1st, second votes 2nd.
 - 4.5.1 Every member present, when called upon shall vote “Yes” or “No” or may abstain. Members shall not be permitted to vote on matters where there is a conflict of interest, or on the member’s own official conduct.
 - 4.5.2 After the result of the vote is tallied, a member may not change a vote unless, before the adjournment of the meeting, permission is given to change the vote by a majority vote of the members present.
- 4.6 **Personal Privilege** - The right of a member to address the council on a question of personal privilege shall be limited to cases in which the member’s integrity, character, or motives are assailed, questioned, or impugned.
- 4.7 **Dissents and Protests** – Any member shall have the right to express dissent from or protest against any ordinance, resolution, or other action of the council and have the reason for the dissent or protest entered in the minutes. Such dissent or protest may be filed in writing and presented to the Clerk/Treasurer for placement in the minutes no later than the next regular meeting.

- 4.8 **Excusal During Meetings** - No member should leave a session without advising the presiding officer.

SECTION FIVE – CHAIR AND DUTIES

- 5.1 **Chair** - As provided in section 733.24 and 733.25 of the Ohio Revised Code, the Mayor, or in his/her absence the President of Council shall preside over all meetings of the legislative authority of the village. If both the Mayor and Council President are absent, council shall select one of its members to serve as chair, provided a quorum remains.
- 5.2 **Call to Order** –The meetings shall be called to order by the Mayor or in his/her absence, the President of Council.
- 5.3 **Preservation of Order** - The chair shall preserve order and decorum, call upon the Sergeant at Arms as necessary to enforce compliance with the rules, and confine members in debate to the question under discussion.
- 5.4 **Call for Recess** - The Chair may call for a brief recess as he/she deems necessary, but may not recess in order to prevent action from being taken by the legislative authority.
- 5.5 The chair shall possess all the authority granted under these rules, *Robert's Revised Rules of Order*, and the Ohio Revised Code.

SECTION SIX – ORDER OF BUSINESS

- 6.1 Agenda
- 6.1.1 Preparation and Distribution of the order of business of each meeting shall be completed by the Clerk/Treasurer by 4:00 pm the Friday preceding the regularly scheduled Tuesday meetings.
- 6.1.2 The agenda shall list all topics to be considered before council, as well as, any citizens or visitors scheduled to address council.
- 6.1.2.1 Speakers addressing council shall follow the following rules
- 6.1.2.2 Only one speaker at a time – maximum allowed time 5 minutes.
Clerk will keep time and notify the Mayor. (05/08)

- 6.1.2.3 Using a podium, speakers must address comments to the presiding officer or council as a whole, not individual members or individual attacks (05/08)
 - 6.1.2.4 Speakers should not refer to council members by name, instead use the title “councilman (members last name)”.
 - 6.1.2.5 Citizens of the Village of Rockford will be permitted to speak first, followed by business leaders in the village, and finally any other interested party.
 - 6.1.2.6 Mayor has the right to dismiss individuals at any time. (05/08)
- 6.1.3 After the meeting is called to order by the presiding officer, the agenda shall be reviewed and any additions or deletions may be made with a majority vote of the council members.
 - 6.1.4 The agenda shall be approved as the Orders of the Day with a motion, second and majority vote of council.

SECTION SEVEN – CONSIDERATION OF ORDINANCES, RESOLUTION AND MOTIONS

- 7.1 **Printed form** – All ordinances and resolutions shall be presented to the Village Council members in printed form.
- 7.2 **Distribution** – The Clerk/Treasurer shall ensure all council members have received the ordinance or resolution prior to the start of the meeting at which said ordinance or resolution will be considered.
- 7.3 **Rules of Order** – *Robert’s Revised Rules of Order* shall govern the proceedings of the Rockford Village Council in all cases, unless they are in conflict with this ordinance or the Ohio Revised Code.
- 7.4 **Order of Precedence of Motions-**
 - 1. Adjourn (when privileged) See notes 1 and 2
 - 2. Recess (when privileged) See notes 1 and 2
 - 3. Raise question of privilege
 - 4. Lay on the Table
 - 5. Previous Question See note 5
 - 6. Limit/Extend time of debate See notes 3 and 5
 - 7. Postpone to certain time See note 3
- 8. Commit or refer See note 3

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|---------------------------|------------------|
| 9. Amend | See note 3 and 4 |
| 10. Postpone indefinitely | |
| 11. The Main Motion | See note 3 |

NOTE 1: The first two motions are not always privileged. To adjourn shall lose its privileged character and is a main motion if in any way qualified. To recess shall be privileged only when other business is pending.

NOTE 2: A motion to adjourn is not in order: 1-When repeated without intervening business or discussion; 2-When made as an interruption of a member while speaking; 3-While a vote is being taken.

NOTE 3: Can be amended

NOTE 4: A motion to amend shall be non-debatable when the question to be amended is non-debatable.

NOTE 5: Two-Thirds majority required to pass.

7.5 **Reconsideration** - A motion to reconsider any action of the Village Council may be made not later than the next regular meeting. Such a motion may only be made by the member who voted with the prevailing side. It can be seconded by any member. No question shall be twice reconsidered except by unanimous vote by village council, except that any action relating to any contract may be reconsidered at any time before the final execution thereof.

7.6 **The Previous Question** - When the previous question is moved and seconded, it shall be put as follows: "Shall the Main Question now be put?" There shall be no further amendment or debate, but pending amendments shall be put in their order before the main question. If the motion for the previous question is lost, then the debate is not closed. An affirmative vote of a two-thirds majority of council members is required to approve the Previous Question and close debate and thus effecting a vote. This may be done by "Call the Question", or "Question"

7.7 **Withdrawal of Motions** –A motion may be withdrawn, or modified, by its mover without asking permission until the motion has been stated by the chair. If the mover modifies the motion, the seconder may withdraw the second. After the question has been stated by the chair, the mover shall neither withdraw nor modify without council consent.

7.8 **Amendments to Motions** – No proposal of a subject different from that under consideration shall be admitted a motion or amendment to a motion. A motion to

amend an amendment shall be in order, but one to amend and amendment to an amendment shall not be in order.

SECTION EIGHT – RESERVED

SECTION NINE – RESERVED

SECTION TEN – RULES SUSPENSION OR AMENDMENT

- 10.1 **Suspension of Rules** – Any provision of this ordinance, not governed by the Ohio Revised Code, may be temporarily suspended by a two-thirds vote of the members of the Village Council.
- 10.2 **Amendment of Rules** – These rules may be amended, or new rules adopted by a majority vote of the members of the Village Council.
- 10.3 **RESERVED**

Revised 05/20/09 – section 2.10 and 2.11 ordinance 01-09.

Revision 02/02/10 – section 2.10 and 2.11 ordinance 01-10.

ORDINANCE #02-05-02

AN ORDINANCE OF THE COUNCIL OF THE VILLAGE OF ROCKFORD, OHIO, TO PROVIDE AN EFFECTIVE MEANS FOR PROTECTING THE PUBLIC WATER SYSTEM FROM CONTAMINATION DUE TO BACKFLOW OF CONTAMINANTS THROUGH THE WATER SERVICE CONNECTION INTO THE PUBLIC WATER SYSTEM.

WHEREAS, Section 6109.13 of the Ohio Revised Code requires protection of the public water system from contamination through any connection whereby water from a private, auxiliary or emergency water system may enter the public water system; and

WHEREAS, Section 3745-95 of the Ohio Administrative Code requires protection of the public water system due to backflow of contaminants through the water service connection; and

WHEREAS, the Ohio environmental Protection Agency requires the maintenance of a continuing program of cross-connection control which will systematically and effectively present the contamination of all portable water system; and

WHEREAS, in order to accomplish these goals it is necessary to introduce restrictions that go beyond usual plumbing code requirements; now, therefore,

BE IT ORDAINED by the council of the Village of Rockford, State of Ohio:

SECTION ONE

That if, in the judgment of the Village Administrator, an approved backflow device is necessary for the safety of the public water system, the Village Administrator will give notice to the water consumer to install such an approved device immediately. The water consumer shall, at his own expense, install such an approved device at a location and in a manner approved by the Village Administrator and shall have inspections and tests made of such approved devices as required by the Village Administrator.

SECTION TWO

That no person, firm or corporation shall establish or permit to be established or maintain or permit to be maintained any connection whereby a private, auxiliary or emergency water supply other than the regular public water supply of the Village of Rockford, Ohio may enter the supply or distributing system of said municipality, unless such private, auxiliary or emergency water and the method of connection and use of such supply shall have been approved by the Village Administrator of Rockford and by the Ohio Environmental Protection Agency.

SECTION THREE

That it shall be the duty of the Village Administrator to cause surveys and investigations to be made of industrial and other properties served by the public water supply where actual or potential hazards to the public water supply may exist. Such surveys and investigations shall be made a matter of public record and shall be repeated as often as the Village Administrator shall deem necessary.

SECTION FOUR

That the Village Administrator of the Village of Rockford or his duly authorized representative shall have the right to enter at any reasonable time any property served by a connection to the public water supply or distribution system of the Village of Rockford for the purpose of inspecting piping system or systems thereof. On demand the owner, lessees, or occupants of any property so served shall furnish the Village Administrator any information, which he may request regarding the piping system or systems or water use on such property. The refusal of such information, when demanded, shall, within the discretion of the Village Administrator, be deemed evidence of the presence of improper connections as provided in this ordinance.

SECTION FIVE

That the Village Administrator of Rockford is hereby authorized and directed to discontinue, after reasonable notice to the occupant thereof, the water service to any property wherein any connection in violation of the provisions of this ordinance is known to exist, and to take other precautionary measures as he may deem necessary to eliminate any danger of contamination of the public water supply distribution mains. Water service to such property shall not be restored until such conditions shall have been eliminated or corrected in compliance with the provisions of this ordinance.

PASSED, this 5th day of March, 2002

ORDINANCE #11-21-02

**AN ORDINANCE AMENDING SECTION SEVEN OF ORDINANCE #14-96.
REQUIRING REAL PROPERTY OWNERS TO RECEIVE AND BE
RESPONSIBLE FOR PAYMENT OF WATER BILL FOR RENTAL
PROPERTIES.**

WHEREAS, it is necessary to collect revenue in a fair and consistent manner for the adequate operation, maintenance, and operation of the water system.

**NOW, THEREFORE LET IT BE ORDAINED BY THE VILLAGE COUNCIL OF
THE VILLAGE OF ROCKFORD, OHIO:**

SECTION ONE

That Section Seven of Ordinance #14-96 passed on the 21st day of January 1997, is hereby amended to read as follows:

For rental and non-owner occupied properties service billings shall be the responsibility of the real property owner. The name on the account will be in the property owners name and the billings sent to his/her address.

SECTION TWO

Renters who have a deposit on record and are now receiving the water billing shall receive a refund of deposit if the bill owed is current. The billing will then be the responsibility of the real property owner as described in section one of this ordinance.

SECTION THREE

The existing Section Seven of Ordinance #14-96 passed on the 21st day of January 1997 is hereby repealed.

SECTION FOUR

This Ordinance shall take effect for the January 2003 usage, February 2003 billing and be in full force from and after its passage.

PASSED this 17th day of December 2002.

ORDINANCE #03-18-03

AN ORDINANCE AMENDING SECTION 660.07 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF ROCKFORD, OHIO (STORAGE OF JUNK MOTOR VEHICLES, REPEALING INCONSISTENT LEGISLATION, AND DECLARING AN EMERGENCY.

WHEREAS, Ordinance No. 660.07 of the Codified Ordinance of the Village of Rockford, Ohio sets forth regulations for the storage of junk vehicles, and;

WHEREAS the Council of the Village of Rockford, Ohio deems it necessary and appropriate to amend Ordinance No. 660.07 of the codified ordinances with regard to the repeat offenses involving the storage of junk motor vehicles.

BE IT THEREFORE ORDAINED BY THE COUNCIL OF THE VILLAGE OF ROCKFORD, OHIO, THAT:

SECTION 1: Section 660.07 of the Codified Ordinances of the Village of Rockford shall be amended to state as follows:

660.07 STORAGE OF JUNK VEHICLES

(a) For purposes of this section, “junk motor vehicle” means any motor vehicle meeting all the following requirements:

- (1) Three (3) years old, or older;
- (2) Extensively damaged, such damage included but not limited to any of the following: missing wheels, tires, motor, or transmission; and
- (3) Apparently inoperable;

that is left uncovered in the open on private property for more than 72 hours with the permission of the person having the right to possession of the property, except if the person is operating a junk yard or scrap metal processing facility licensed under the authority of OHIO RC 4737.05 through 4737.12, or regulated under authority of a political subdivision; or if the property on which the motor vehicle is left is not subject to license or regulation by any governmental authority, unless the person having the right to the possession of the property can establish that the motor vehicle is part of a bona fide commercial operation; or if the motor vehicle is a collector’s vehicle.

(b)the Municipality shall not prevent a person from storing or keeping, or restrict him or her in the method of storing or keeping, any collector’s vehicle on private property with the permission of the person having the right to the possession of the property, except that the Municipality may required a person having such permission to conceal, by means of buildings, covers, fences, vegetation, terrain, or other suitable obstruction, any unlicensed collector’s vehicle stored in the open.

(c) The Police Chief, the Council, or the zoning authority may send notice, by certified mail with return receipt requested, to the person having the right to

the possession of the property on which a junk motor vehicle is left, that within ten (10) days of receipt of the notice, the junk motor vehicle either shall be covered by being housed in a garage or other suitable structure, or shall be removed from the property.

- (d) No person shall willfully leave a junk motor vehicle uncovered in the open for more than ten (10) days after receipt of a notice as provided in this section. The fact that a junk motor vehicle is so left is prima facie evidence of willful failure to comply with the notice, and each subsequent period of thirty (30) days that a junk motor vehicle continues to be so left constitutes a separate offense. (ORC 4513.65)
- (e) One a person has been give notice as provided in Paragraph (c) of this Section, such person shall not store or permit to be stored any junk motor vehicles upon his or her property within (6) months from the date of the notice. If there is a subsequent violation of this Section within such six (6) month period, then such person shall be given notice by certified mail that the junk motor vehicle shall be immediately removed from the property. Repeat violations shall be penalized as provided in Paragraph (f) of this Section.
- (f) Whoever violates this section is guilty of the following:
 - 1. A minor misdemeanor on a first offense;
 - 2. A misdemeanor of the fourth degree on a 2nd offense;
 - 3. A misdemeanor of the third degree on each subsequent offense.(ORC 4513.99(e))

SECTION 2: All legislation in conflict herewith shall be, and the same hereby, is repealed.

SECTION 3: This Ordinance is deemed to be an emergency measure for the immediate preservation of the public peace, health, safety and welfare of the citizens of the Village of Rockford, Ohio. The reason for such emergency is to control and deter the repeat offenses involving the storage of junk vehicles in violation of the law. Therefore, this Ordinance shall take effect and be in force immediately from and after its passage.

PASSED on this 18th day of March 2003.

ORDINANCE NO. 04-6-04

AN ORDINANCE AMENDING SECTION 660.14.1 OF THE GENERAL OFFENSES CODE OF THE VILLAGE OF ROCKFORD, OHIO (STORAGE OF JUNK), REPEALING INCONSISTENT LEGISLATION, AND DECLARING AN EMERGENCY

WHEREAS, the Council of the Village of Rockford, Ohio, previously adopted Ordinance 5-91 establishing Section 660.14.1 of the General Offenses Code

WHEREAS, Council deems it necessary and appropriate to amend Section 660.14.1 with regard to the notice provisions set forth in said Section.

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

SECTION 1

SECTION 660.14.1 OF THE General Offenses Code of the Village of Rockford, Ohio, entitled "Storage of Junk" shall be amended to read as follows:

Section 660.14.1 STORAGE OF JUNK

(a) Definitions. As used in this Section:

- (1) "Junk" means any worn-out, cast-off or discarded article or material which is ready for destruction or has been collected or stored for salvage or conversion to some other use. Any article or material which, unaltered or unchanged and without further reconditioning, can be used for its original purpose as readily as when new shall not be considered "junk".
- (2) "Rubbish" means and includes wire, chips, shavings, bottles, broken glass, crockery, tin, cast or wooden ware, boxes, rags, dead weeds, stumps, tree trunks, brush, paper circulars, handbills, boots, shoes, ashes, garbage, offal or any waste material.
- (3) "Owner" means the person, firm or corporation in whose name any premises are listed in the records or deeds in the Mercer County Recorder's Office.
- (4) "Notice" means a letter, in a form approved by Council, stating the manner in which a provision of this Section is being violated, the description and/or location of the premises, the name of the owners and tenants (if any) of such premises, and the period of time within which such premises are to be cleared from such violation. Such letter shall be signed by the Mayor or designee.

- (b) Accumulation Prohibited. No person shall deposit, store, maintain, or collect, or permit the storage, deposit, maintenance or collection of, any junk or rubbish on his own premises or any premises under his control, or on the streets, sidewalks or alleys or in any other place within the Municipality, except as expressly provided by law.
- (c) Enforcement; Notice; Service. No person violating Subsection (b) hereof shall within ten (10) days after notification of such violation by the Mayor or designee fail to remove or cause to be removed any junk or rubbish or to have the same placed in any adequate enclosure or building.

Such notice shall be served upon the owner, and tenant if there is such, by certified mail or by an officer of the Police Department.

The fact that such premises are rented or leased by the owner to another party shall not relieve such owner from the responsibilities herein created.

- (d) Penalty. Whoever violates any of the provisions of this Section is guilty of a minor misdemeanor on the first offense; on a second offense, such person is guilty of a misdemeanor of the third degree. A separate offense shall be deemed committed each day during on or which a violation occurs or continues.

SECTION 2

All legislation in conflict herewith shall be, and the same hereby is, repealed.

SECTION 3

This ordinance is necessary for the preservation of the health, safety, and welfare of the residents of the Village of Rockford, Ohio and its immediate implementation is necessary in order to avoid interference with the police powers of the Village, and therefore, shall go into effect immediately upon its passage.

PASSED on the 6th day of April 2004.

ORDINANCE NO. 1-18-05

AN ORDINANCE FOR THE MUNICIPALITY OF ROCKFORD, OHIO, ADOPTING NEW SECTIONS 71.18 THROUGH 71.22 OF THE OHIO BASIC CODE, EFFECTIVE IMMEDIATELY, TO REFLECT CURRENT STATE PROHIBITIONS REGARDING DRIVING UNDER SUSPENSION OR IN VIOLATION OF LICENSE RESTRICTIONS, OPERATING A MOTOR VEHICLE WITHOUT A VALID LICENSE, DRIVING UNDER OVI SUSPENSION, DRIVING UNDER FINANCIAL RESPONSIBILITY LAW SUSPENSION OR CANCELLATION, FAILURE TO REINSTATE A LICENSE, AND AFFIRMATIVE DEFENSES RELATED THERETO, AND DECLARING AN EMERGENCY.

WHEREAS, effective January 1, 2004, the Ohio Legislature added new Chapter 4510 to the Ohio Revised Code, including 4510.04, 4510.12, 4510.14, 4510.16 and 4510.21 concerning regarding driving under suspension or in violation of license restrictions, operating a motor vehicle without a valid license, driving under OVI suspension, driving under financial responsibility law suspension or cancellation, and failure to reinstate a license.

WHEREAS, the Municipal Code, being the 2004 Edition of the Ohio Basic Code, does not reflect these new state law provisions.

WHEREAS, it is necessary to provide for the immediate preservation of the public peace, health, safety and general welfare of the municipality that this ordinance take effect at an early date.

NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE AUTHORITY OF THE MUNICIPALITY OF ROCKFORD, OHIO:

Section 1. The following sections, as set forth in full in Exhibit A, are added to the Municipal Code:

- 71.18 Driving under suspension or in violation of license restriction.
- 71.19 Operating motor vehicle without valid license
- 71.20 Driving under OVI suspension
- 71.21 Driving under financial responsibility law suspension or cancellation
- 71.22 Failure to reinstate license

Section 2. This ordinance is declared to be an emergency measure necessary for the immediate preservation of the peace, health, safety, and general welfare of the people of the Municipality, and shall take effect at the earlier date provided by law.

PASSED 01/18/05

ORDINANCE 06-08

AN ORDINANCE CREATING CHAPTER 50 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF ROCKFORD, OHIO (VILLAGE WATERWORKS SYSTEM), AND ENACTING SECTIONS PERTAINING TO THE CHARGES FOR WATER AND WATER SERVICE PROVIDED BY THE VILLAGE OF ROCKFORD, REPEALING ANY CONFLICTING LEGISLATION, AND DECLARING AN EFFECTIVE DATE.

WHEREAS, it is necessary to establish charges for water in a fair and consistent manner which collects revenue adequate for the operation, maintenance, and replacement fund for the operation of the water system.

NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF ROCKFORD, OHIO THAT

SECTION ONE: The Village Administrator is hereby authorized and directed to manage and control the waterworks system in said Village in a safe, economical, and efficient manner provided by law.

SECTION TWO: The said Village Administrator is further authorized and directed to make such by-laws and regulations as may be deemed necessary for the safe, economical, and efficient management and protection of said waterworks system, subject to the laws of the State of Ohio and the ordinances and resolutions of the Village of Rockford, Ohio.

SECTION THREE: That **Section 50.01** of the codified ordinances of the Village of Rockford, Ohio is enacted to read as follows:

Sec. 50.01 Charges for water and water service shall be charged and paid monthly at the office of Clerk/Treasurer at the same time as the charges for wastewater service are paid and shall be included on the same invoice as the charge for wastewater services for the same period.

SECTION FOUR: That **Section 50.02** of the codified ordinances of the Village of Rockford, Ohio is enacted to read as follows:

Sec 50.02 Definition of classes of users of the water service for the Village of Rockford:

- A. RESIDENTAL CLASS 1 shall include all single or multiple unit non-metered residential accounts.
- B. RESIDENTAL CLASS 2 shall include all single or multiple unit metered residential accounts.
- C. COMMERCIAL CLASS 1 shall include all non-residential accounts that are not metered.
- D. COMMERCIAL CLASS 2 shall include all non-residential accounts that are metered.

- E. BULK WATER USERS shall include bulk water customers of who fill their tanks with village water.

The Village Administrator shall have the authority to determine the class of each user. Through a written request to the Village, any customer may purchase and install a meter approved by the Village. They would then be charged the metered service rate.

SECTION FIVE: That **Section 50.03** of the codified ordinances of the Village of Rockford, Ohio become effective for the June 1, 2006 charges and is enacted to read as follows:

Sec. 50.03. Charges for water service for the Village of Rockford, Ohio

- A. RESIDENTIAL CLASS 1: a flat rate of \$31.00 per month
- B. RESIDENTIAL CLASS 2: 1ST 3,000/month - \$25.00 \$2.60 each add 1,000g
- C. COMMERCIAL CLASS 1: a flat rate of \$38.09 per month
- D. COMMERCIAL CLASS 2: 1st 3,000 gal/month - \$25.00 \$2.60 each add 1,000g
- E. BULK WATER USERS: the rate shall be \$13.50 per \$1,000 gallons

In the event that any condominium or apartments are serviced by one water meter, the monthly water service charge shall be determined by multiplying the number of units by the applicable minimum metered rate. It is the duty and responsibility of the landlord or owner of such multiple unit premises to notify the Clerk/Treasurer of the number of units vacant during any month. By way of example, an apartment house or condominium containing 10 units, each such individual unit shall be subject to an individual water service charge and should all occupied living units combined use under \$30,000 gallons total for the month, the charge for the premises would be 10 times the minimum charge of \$25.00 or \$250.00 for the month. Any usage over the first 30,000 gallons would be charged an additional \$2.60 per 1,000 gals.

SECTION SIX: That **Section 50.04** of the codified ordinances of the Village of Rockford, Ohio is enacted to read as follows:

Sec 50.04. Yearly Review of rates

The Council of the Village of Rockford, at the first meeting of June each year, may raise the water rates in accordance with the Consumer Price Increase of the preceding year. This may be done by motion and majority vote of Council. The increase will take effect for the June usage which is billed July 1.

SECTION SEVEN: That **Section 50.05** of the codified ordinances of the Village of Rockford, Ohio is enacted to read as follows:

Sec.50.05. Non-payment penalties

A 10% penalty shall be added to all bills not paid by the 15th day of the month in which payment is due, and all unpaid accounts shall be charged interest at the rate of 1.5% per month on the unpaid balance beginning on the 30th day after the due date of said bill.

An additional charge of \$15.00 is disconnecting any water service coinciding with the disconnection of sewer service, because of non payment of bill will be charges to the defaulting customer. The Clerk/Treasurer shall give the defaulting customer notice of the intention to discontinue service prior to any shut off. Said notice shall be mailed within 10 days of the due date of said bill, and said service shall be discontinued no later than 20 days after the due date of said bill.

SECTION EIGHT: That **Section 50.06** of the codified ordinances of the Village of Rockford is enacted to read as follows:

Sec.50.06 Rate reductions.

The Village Council may approve rate reductions based upon the guidelines established by said Village Council. Such reductions may only be for operation, maintenance, and repair costs. No reductions on the debt reduction billing shall be made.

SECTION NINE: That **Section 50.07** of the codified ordinances of the Village of Rockford enacted to read as follows:

Sec.50.07. Charges for water taps

The charges for water taps shall be as follows:

¾ inch taps	\$1,000
1 inch taps	\$1,000
All other taps	Cost of material and labor plus 15%

SECTION TEN: That **Section 50.08** of the codified ordinances of the Village of Rockford is enacted to read as follows:

Sec.50.08. Charge for service outside the corporation

Charges for water and water service outside the corporation limits of the Village of Rockford shall be 150% of the charges to customers inside the corporation.

SECTION ELEVEN: That **Sec.50.09** of the codified ordinances of the Village of Rockford is enacted to read as follows:

Sec.50.09. Unpaid Charges

All unpaid charges shall constitute a lien upon the property served by the water works system and shall be certified by the Clerk/Treasurer of the Village of Rockford to the Mercer County Auditor and collected as other village taxes are collected, including all penalties and accrued charges.

SECTION TWELVE: That **Sec.50.10** of the codified ordinances of the Village of Rockford is enacted to read as follows:

SEC.50.10 Deposit of Funds

All funds collected for water service shall be deposited into a separate and distinct fund known as the water fund, and said monies shall be used for payment of the costs and incurred expenses of the management, maintenance, enlargement, operation and repair of the waterworks systems and for no other purpose.

SECTION THIRTEEN: Ordinances 14-96 and 5-97, and all other conflicting legislation be and the same are hereby repealed.

SECTION FOURTEEN: This ordinance shall take effect and be in force beginning the 1st day of June 2006.

ORDINANCE #06-12

AN ORDINANCE ENACTING CHAPTER 97, EXTERIOR MAINTENANCE CODE, TO THE CODIFIED ORDINANCES OF THE VILLAGE OF ROCKFORD AND DECLARING AN EMERGENCY.

WHEREAS the purpose of this chapter is to protect the public health, safety and welfare by establishing minimum standards governing the maintenance, appearance and exterior condition of all premises and uses throughout the village.

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

Section 1. That Chapter 97 of the Codified Ordinances of the Village of Rockford be enacted to read as attached.

Section 2. Council declares this to be an emergency measure immediately necessary for the preservation of the public peace, health, safety, welfare, and morals, such emergency arising out of the need to clean up dangerous situations in the Village of Rockford.

PASSED THIS 1ST DAY OF AUGUST 2006

ORDINANCE 06-11

AN ORDINANCE AMENDING SECTION 93.40, SUBSECTION (B) (4), OF THE CODIFIED ORDINANCES OF THE VILLAGE OF ROCKFORD, MODIFYING THE HEIGHT OF ENFORCEMENT ON NOXIOUS WEEDS WITHIN THE VILLAGE AND DECLARING AN EMERGENCY.

WHEREAS, it is deemed to be in the best interests of the citizens of the Village of Rockford to change the enforcement height of noxious weeds from 12 inches to 8 inches.

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

SECTION 1. That **Section 93.40 (b) (4)** of the Codified Ordinances is hereby amended to read as follows:

Section 93.40 (b) (4) Any weeds, grass, or plants, other than trees, bushes, flowers, or other ornamental plants, growing to a height exceeding 8 inches.

SECTION 2 The existing **Section 93.40 (b) (4)** of the Codified Ordinances is here by repealed.

SECTION 3 Council declares this to be an emergency measure immediately necessary for the preservation of the public peace, health, safety, welfare, and morals, such emergency arising out of the need to control a weed problem.

PASSED THIS 1ST DAY OF AUGUST 2006

ORDINANCE NO. 06-1

AN ORDINANCE INITIATING AND REGULATING STAND BY DUTIES FOR STREET, WATER AND SEWER EMPLOYEES OF THE VILLAGE OF ROCKFORD

WHEREAS the Village of Rockford owns, operates and maintains its water, wastewater, and street utilities, and

WHEREAS it is necessary for public health, safety, and welfare that someone be available twenty-four hours seven days per week to ensure the plants are operating and to react to emergencies.

NOW THEREFORE BE IT ORDNANIED BY THE COUNCIL OF THE VILLAGE OF ROCKFORD, STATE OF OHIO:

Section 1: The Village of Rockford has the need for someone to be available for service 24 hours a day 7 days a week and to check operations at given time.

Section 2: Full time employees will alternate by the week to be on stand by time under direction of the Village Administrator.

Section 3: During stand by time the employee will be under the rules of work for the whole time of being the responsible call person. The plants are to be checked each evening at 6:00 pm and 10:00 pm. On Saturdays and Sundays they are to be checked 3 additional times. Forms to be recorded as prescribed by the Village Administrator.

Section 4: Employees will be compensated at the rate of \$100 per week of stand by duty as defined in section three.

PASSED THIS 7TH DAY OF MARCH 2006.

RESOLUTION #06-2

A RESOLUTION ESTABLISHING FEES TO BE CHARGED BY THE ROCKFORD POLICE DEPARTMENT FOR INCIDENT AND ACCIDENT REPORTS, AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the Police Department for the Village of Rockford, Ohio receives various requests for incident and accident reports.

WHEREAS, the Police Department has historically provided incident and accident reports to requesting parties at little or no reimbursement cost.

WHEREAS, in order to reimburse the Village of Rockford for the cost and expense in providing incident and accident reports, it is deemed appropriate to charge a fee for such reports.

BE IT THEREFORE RESOLVED BY THE COUNCIL OF THE VILLAGE OF ROCKFORD, OHIO, THAT:

SECTION ONE

The Village of Rockford Police Department shall charge a fee of \$4.00 for each incident and accident report it is requested to issue. Funds received from the issuance of such reports shall be deposited into the General fund for the Village of Rockford, Ohio.

SECTION TWO

This Resolution shall take effect on the earliest date allowed by law.

PASSED ON THIS 7TH DAY OF MARCH 2006.

ORDINANCE NO. 06-09

AN ORDINANCE AMENDING SECTION FIVE SUBSECTION SANITARY SEWER TAP-IN CHARGES PART B CALCULATION OF PERMIT FEE OR ORDINANCE NO. 12-87, MODIFYING THE COST OF SANITARY SEWER BUY-IN FOR THE VILLAGE OF ROCKFORD AND DECLARING AN EMERGENCY.

WHEREAS, it is deemed to be in the best interest of the citizens of the Village of Rockford, Ohio to establish charges for the buy-in to for connection of the Villages sanitary sewer system in a fair and consistent manner:

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

SECTION ONE: that section five, subsection sanitary sewer tap-in charge part b, of ordinance no. 12-87 passed on the 13th day of October 1987, is hereby amended to read as follows:

Calculation of Permit Fee

The Village shall not issue a permit for the purpose described in subsection (a) hereof, until the applicant therefore has paid a charge of one thousand two hundred fifty dollars (\$1,250) and any additional charges required by this section. This charge shall reimburse the village for reasonable cost of inspection and other costs related to the making of connections to the sewerage system.

SECTION TWO: The existing Section five, subsection sanitary sewer tap in charge part b, of Ordinance No. 12-87 passed on the 13th day of October 1987 is hereby repealed.

SECTION THREE: Council declares this to be an emergency measure immediately necessary for the preservation of public peace, health, safety, welfare, such emergency arising out of the need to adequately collect funds for the operation of the sanitary sewer system. Wherefore this ordinance shall take effect and be in force from and after its passage and approval by the Mayor.

PASSED THIS 16TH DAY OF MAY 2006

ORDINANCE 06-02

AN ORDINANCE ENACTING SECTION 94.251 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF ROCKFORD, OHIO PERTAINING THE REPAIR OF SIDEWALKS.

WHEREAS under authority conferred upon the Village under Revised Code 727.01, the Legislative Authority may require repair of sidewalks within the municipality by the owners of lots or lands abutting thereon, and

WHEREAS it is necessary for the protection of public health and safety that the Village have sidewalk maintenance standards.

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

Section 1. That **Section 94.251** of the codified ordinances of the Village of Rockford be enacted to read as follows:

Sec.94.251. The Village of Rockford may require the repair of sidewalks that meet the definition of defective sidewalk as defined by the Sidewalk Maintenance Standards. The standards are an attachment to this ordinance.

Section 2. This ordinance shall take effect and be in full force from and after the earliest period allowed by the law.

PASSED MARCH 7, 2006.

SIDEWALK MAINTENANCE STANDARDS

DEFECTIVE SIDEWALK. Any public sidewalk exhibiting one or more of the following characteristics:

- (a) Vertical separations equal to three-fourths (3/4) inch or more.
- (b) Horizontal separation equal to three-fourths (3/4) inch or more.
- (c) Holes or depressions equal to three-fourth (3/4) inch or more.
- (d) Spalling over fifty (50) percent of a single square or panel of sidewalk with one or more depressions equal to one-half (1/2) inch or more.
- (e) A single square or panel of sidewalk cracked in such a manner that no part thereof has a piece greater than one (1) square foot, or is cracked in such a manner that is constitutes danger or potential danger to the public.
- (f) A sidewalk with any part thereof missing to the full depth.
- (g) A deviation on the staked and constructed grade equal to three-fourths (3/4) inch or more.

ORDINANCE #06-03

AN ORDINANCE ENACTING SECTION 32.081 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF ROCKFORD, OHIO PERTAINING TO THE RULES OF ORDER FOR COUNCIL, AND DECLARNG AN EMERGENCY.

WHEREAS the Council of the Village of Rockford, Ohio is required by Ohio Revised Code Section 731.45 to establish its rules of order and keep a journal of its proceedings, and

WHEREAS it is in the best interest of the citizens of the Village of Rockford, and to ensure compliance with Ohio Law, to adopt these rules immediately.

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

Section 1. That section 32.081 of the Codified Ordinances of the Village be enacted as the Rules of Order for the Council of the Village of Rockford, Ohio.

Section 2. Council declares this to be an emergency measure immediately necessary for the preservation of the public peace, health, safety, welfare, and morals, such emergency arising out of the necessity to adhere to Ohio Law, wherefore this ordinance shall take effect and be in force from and after it's passage and approval by the Mayor.

PASSED THIS 7TH DAY OF FEBRUARY 2006

ORDINANCE NO. 07-10

AN ORDINANCE ESTABLISHING A PUBLIC RECORDS POLICY FOR THE VILLAGE OF ROCKFORD, OHIO; AND DECLARING AN EMERGENCY

WHEREAS, pursuant to Ohio Law, effective September 29, 2007, every public entity must have in place a public records policy.

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE OF ROCKFORD, OHIO, THAT:

SECTION 1: The model public records policy developed by the Ohio Attorney General attached hereto is hereby adopted by the Village of Rockford, Ohio. This public records policy may be amended from time to time to comply with Ohio Law.

SECTION 2: The public records notice attached hereto is hereby adopted by the Village and shall be posted in a conspicuous location in the Village offices. This notice may be amended from time to time to comply with Ohio Law.

SECTION 3: This Ordinance is deemed to be an emergency measure and shall take effect and be in force immediately from and after its passage for the preservation of the public peace, health, and safety of the citizens of the Village of Rockford, Ohio.

PASSED ON THIS 18TH DAY OF SEPTEMBER 2007

ORDINANCE 07-04

AN ORDINANCE BY THE COUNCIL OF THE VILLAGE OF ROCKFORD, OHIO , ESTABLISHING A CREDIT FOR CERTAIN SIDEWALK AND CURB ASSESMENTS

WHEREAS, the Council of The Village of Rockford, Ohio, mandates that certain real property owner's install and maintain sidewalks, and

WHEREAS, the Village also regularly engages in projects and improvements that include the installation and construction of new sidewalks and curbs for the benefits of Village residents, and that many of these improvements necessitate the replacement of sidewalks and curbs which may have been previously installed by the real property owners; and

WHEREAS, it has been the practice of the Village to assess the benefiting landowners the cost of said improvements, and

WHEREAS, the Village finds that real property owners should not unnecessarily be penalized for the compliance with Village Ordinances and property improvements; and

NOW THEREFORE, BE IT ORDAINED, by the Council of the Village of Rockford, Ohio, as follows:

SECTION ONE

The costs for all assessments for sidewalk and curb improvement shall be the responsibility of the real property owners as established by the assessment methods provided by Ohio Law and Village Ordinances, as amended from time to time, with the following exception:

1. Any real property owner who has been assessed by the Village for sidewalk and/or improvement may apply to the Village for a credit towards the cost of assessment if:
 - a. The real property owner can establish, by evidence satisfactory to the Village, the date when the owner had previously installed the sidewalk and/or curb at the same location ; and
 - b. That, prior to the improvement by the Village, the sidewalk and/or curb was maintained in conformance with Village Ordinances.
2. In the event the owner satisfies the conditions of paragraphs 1(a) and 1(b) above, the owner shall be entitled to a credit, based upon the age of the sidewalk and or/curb installed by the owner as follows:

- a. If the owner installed the sidewalk and/or curb 0 to 5 years before the date of the proposed assessment, the owner will receive 100% credit towards payment of the assessed amount.
- b. If the owner installed the sidewalk and/or curb 6 to 10 years before the date of the proposed assessment, the owner will receive a 70% credit towards the payment of the assessed amount.
- c. If the owner installed the sidewalk and/or curb 11 to 15 years before the date of the proposed assessment, the owner will receive a 40% credit towards the payment of the assessed amount.
- d. If the owner installed the sidewalk and/or curb 16 or more years before the date of the proposed assessment, the owner will receive no credit towards payment of the assessed amount.

SECTION TWO

This Ordinance shall take effect from and after its passage as provided by Law.

PASSED, THIS 3RD DAY OF JULY 2007.

ORDINANCE 05-98

AN ORDINANCE PROHIBITING THE SMOKING, USE, OR POSSESSION OF TOBACCO BY UNDERAGE PERSONS IN THE VILLAGE OF ROCKFORD.

WHEREAS, the Council of the Village of Rockford Ohio (“Village”) is concerned with the use of cigarettes and tobacco products by underage persons in the village; and

WHEREAS, R.C. 2927.02 and 636.21 of the Codified Ordinances of the Village prohibit the sale and distribution of cigarettes and tobacco products by manufacturers, producers, distributors, wholesalers, or retailers of cigarettes or tobacco products to underage persons; and

WHEREAS, unlike alcohol, state law does not prohibit the use or possession of cigarettes or tobacco by underage persons; and

WHEREAS, the Village Council has determined it to be in the interest of the safety, health, and welfare of the Village and the entire community as a whole to prohibit the smoking, use or possession of cigarettes or tobacco products by underage persons within the Village, unless the underage person is accompanied by the underage person’s parent or spouse who is not an underage person or legal guardian.

NOW, THEREFORE, be it ordained by the Council of the Village, at least a majority of the members elected thereto concurring herein:

SECTION 1:

The Village Council has determined it to be in the interest of the Village to prohibit the smoking, use, or possession of tobacco by underage persons within the Village, unless the underage person is accompanied by, that underage person’s parent or spouse who is not an underage person or legal guardian.

SECTION 2:

For purposes of this Ordinance, the following terms are defined:

1. “Smoke” means to burn any substance containing tobacco, including a lighted cigarette, cigar, or pipe or to burn a clove cigarette.
2. “Use tobacco” means to chew or maintain any substance containing tobacco, including smokeless tobacco, in the mouth to derive the effects of tobacco.

3. "Cigarettes" include any roll for smoking made wholly or in part of tobacco, irrespective of size or shape and whether or not such tobacco is flavored, adulterated, or mixed with any other ingredient, the wrapper or cover of which is made of paper reconstituted cigarette tobacco, homogenized cigarette tobacco, cigarette tobacco sheet, or any similar materials other than cigar tobacco.
4. "Tobacco product" or "tobacco" means any product made from tobacco, other than cigarettes, that is made for smoking or chewing, or both, and snuff.
5. "Underage person" means a person under eighteen (18) years of age.

SECTION 3:

The following shall be enacted into law to prohibit the smoking, use, or possession of tobacco by underage persons in the Village:

1. Unless otherwise permitted under this section, no underage person shall smoke or use tobacco or possess any substance containing tobacco in any public or private place in the Village.
2. Unless otherwise permitted under this section, no underage person shall order, share the cost of, purchase or attempt to purchase any cigarettes or tobacco product.
3. No person shall knowingly furnish any false information as to the name, age, or other identification of any underage person for the purpose of obtaining or with the intent to obtain any cigarettes or tobacco product for an underage person, by purchase, or as a gift.
4. No underage person shall knowingly show or give false information concerning his name, age, or other identification for the purpose of purchasing or otherwise obtaining any cigarettes or tobacco product in the Village.
5. No person shall sell or furnish any cigarettes or tobacco product to, or buy any cigarettes or tobacco product to, or buy any cigarettes or tobacco product for, an underage person, unless such cigarette or tobacco products is given by a physician in the regular line of his practice or given for established religious purposes.
6. No person who (i) is the owner or occupant of any public or private place in the Village which is not the residence of such underage person; and (ii) is not the parent or legal guardian of such underage person, shall knowingly allow any underage person to remain in or on the place while smoking, using or possessing any cigarettes or tobacco product.

SECTION 4:

A violation of this Ordinance shall be a minor misdemeanor. If the offender previously has been convicted of a violation of this Ordinance, then a subsequent violation of the Ordinance shall be a misdemeanor or the forth degree.

SECTION 5:

This Ordinance is necessary for the welfare, protection and safety of the residents of the Village of Rockford, Ohio, and therefore shall take effect and be in force from and after the earliest period allowed by law.

PASSED THIS 15TH DAY OF JUNE 1998.

ORDINANCE 28-1961

AN ORDINANCE TO REGULATE AND LICENSE THE SALE, BARGAINING TO SELL, OR SOLICITING ORDERS FOR GOODS, WARES, OR MERCHANDISE BY RETAIL ON THE STREETS OF THE VILLAGE OF ROCKFORD, OHIO, OR BY TRAVELING FROM PLACE TO PLACE ABOUT SAID VILLAGE FOR SUCH PURPOSES; AND REPEALING EXISTING LEGISLATION.

BE IT ORDAINED by the Council of the Village of Rockford:

SECTION ONE

That it shall be unlawful for any person or persons, within the corporation limits of the Village of Rockford, Ohio, on the streets of said Village, or traveling from place to place about said Village, to sell, to bargain to sell or to solicit orders for goods, wares, or merchandise by retail, unless such person or persons shall first secure a license so to do as hereinafter provided.

SECTION TWO

That nothing in this Ordinance shall be construed to make it unlawful for the owner or owners of any products of his own raising, production, or manufacture of any article by him, to sell, bargain to sell or solicit orders by himself or advertising for such articles in the manner and places about said Village without the license hereinafter provided.

SECTION THREE

That the Mayor of said Village is hereby authorized and empowered to issue a license to any person or persons applying therefore to sell, to bargain to sell, or solicit orders for goods, wares, and merchandise by retail on the streets of said Village or by traveling from place to place about said Village upon the payment to said Village of a license tax in the amount of \$25.00 (twenty-five dollars) per annum, no part of which shall be prorated, and said Mayor is hereby empowered to issue such license, if in his discretion the applicant is desirable upon presentation by the latter of an application stating (1) the name and address of the applicant, (2) the name and address of the person, firm, or corporation by whom employed, (3) the length of service of such applicant with such employer, (4) the place of residence and nature of the employment of the applicant during the last preceding year, (5) the nature or character of the goods, wares, merchandise or services to be offered by the applicant and (6) a personal description of the applicant. Such application shall be accompanied by such credentials and other evidence of good moral character and identity of the applicant as may be reasonably required by the Mayor.

SECTION FOUR

That the Mayor of said Village shall not authorize and shall not issue said license to any person or persons applying therefore until 5 full days after said applicant or applicants have filed with this office the application provided for in Section Three of this Ordinance.

SECTION FIVE

That said Mayor of said Village shall not issue a license to more than three persons representing any one firm, corporation or partnership.

SECTION SIX

That said licenses upon issuance by said Mayor shall entitle said person or persons to who said license or licenses are issued to sell, to bargain to sell, or to solicit orders for goods, wares or merchandise by retail for a maximum of four days in any one calendar year.

SECTION SEVEN

That the Mayor of said Village is hereby empowered and authorized to revoke such license upon good and sufficient cause.

SECTION EIGHT

Any person or persons violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than \$25.00 dollars or not more than \$100.

SECTION NINE

That Ordinance No. 399 of the Village of Rockford, Ohio, which was adopted on the 19th day of March 1918, be and the same is hereby repealed, and that all other legislation of this Village contrary to or in conflict with this Ordinance is hereby repealed.

SECTION TEN

This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED SEPTEMBER 12, 1961.