

# Codified Ordinances of Fayette Ohio

Local legislation current through June 1, 2024

State legislation current through February 28, 2024

CERTIFICATION

We, Dave Borer, Mayor, and Jessica Swander, Fiscal Officer, of Fayette, Ohio, pursuant to Ohio Revised Code 731.23 and 731.42, hereby certify that the general and permanent ordinances of the Village of Fayette, Ohio, 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 Fayette, Ohio, 2008, as amended to June 1, 2024.

/s/ Dave Borer  
Mayor

/s/ Jessica Swander  
Fiscal Officer

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publication by

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Cleveland, Ohio

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ROSTER OF OFFICIALS  
FAYETTE, OHIO  
(2024)

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The publisher  
expresses its appreciation

to

all Village officials who gave  
their time and counsel to the preparation  
of the 2024 Replacement Pages  
to the Codified Ordinances.

## ORDINANCE 2008-09

AN ORDINANCE ENACTING A CODE OF ORDINANCES FOR THE VILLAGE OF FAYETTE, STATE OF OHIO, AND REVISING, AMENDING, RESTATING, CODIFYING AND COMPILING CERTAIN EXISTING GENERAL ORDINANCES OF THE POLITICAL SUBDIVISION DEALING WITH SUBJECTS EMBRACED IN SUCH CODE OF ORDINANCES, AND DECLARING AN EMERGENCY.

WHEREAS, the present general and permanent ordinances of the political subdivision have been subjected to substantial review and revision, requiring rearranging and reclassification in a form and substance sufficient for the complete preservation of the public peace, health, safety and general welfare of the municipality and for the continued and proper conduct of its affairs; and

WHEREAS, the Acts of the Legislature of the State of Ohio empower and authorize Ohio political subdivisions generally, and the Village of Fayette specifically, to revise, amend, restate, codify and compile any existing ordinances and all new ordinances not heretofore adopted or published and to incorporate such ordinances into one ordinance in book form; and

WHEREAS, the Fayette Village Council has authorized a general compilation, revision and recodification of the ordinances of the Village of Fayette of a general and permanent nature and publication of such ordinance in book form; and

WHEREAS, it is necessary to provide for the usual daily operation of the municipality and 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 FAYETTE VILLAGE COUNCIL THAT:

Section 1. The general ordinances of the Village of Fayette as revised, amended, restated, codified, and compiled in book form are hereby adopted as and shall constitute the "Code of Ordinances of the Village of Fayette, Fayette, Ohio."

Section 2. Such Code of Ordinances as adopted in Section 1 shall consist of the following Titles:

PART ONE - Administrative Code  
PART THREE - Traffic Code  
PART FIVE - General Offenses Code  
PART SEVEN - Business Regulation Code  
PART NINE - Streets, Utilities and Public Services Code  
PART ELEVEN - Planning and Zoning Code  
PART THIRTEEN - Building Code  
PART FIFTEEN - Fire Prevention Code

Section 3. All prior ordinances pertaining to the subjects treated in such Code of Ordinances shall be deemed repealed from and after the effective date of this ordinance except as they are included and reordained in whole or in part in such Code; provided, such repeal shall not affect any offense committed or penalty incurred or any right established prior to the effective date of this ordinance, nor shall such repeal affect the provisions of ordinances levying taxes, appropriating money, annexing or detaching territory, establishing franchises, or granting special rights to certain persons, authorizing public improvements, authorizing the issuance of bonds or borrowing of money, authorizing the purchase or sale of real or personal property, granting or accepting easements, plat or dedication of land to public use, vacating or setting the boundaries of streets or other public places; nor shall such repeal affect any other ordinance of a temporary or special nature or pertaining to subjects not contained in or covered by the Code.

Section 4. Such Code shall be deemed published as of the day of its adoption and approval by the Fayette Village Council, and the Village Administrator for the Village of Fayette is hereby authorized and ordered to file and maintain a copy or copies of such Code of Ordinances in all applicable locations where such information is properly filed and maintained.

Section 5. Such Code shall be in full force and effect as provided in Section 6, and such Code shall be presumptive evidence in all courts and places of the ordinance and all provisions, sections, penalties and regulations therein contained and of the date of passage, and that the same is properly signed, attested, recorded, and approved and that any public hearings and notices thereof as required by law have been given.

Section 6. 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 this municipality, and shall take effect at the earliest date provided by law.

PASSED AND ADOPTED by the Fayette Village Council on this 28 day of August, 2008.

ATTEST: Lisa Zuver  
Fiscal Officer

MAYOR: Anita L. VanZile  
Mayor

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**PART FIFTEEN - Fire Prevention Code**

## 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.
- (c) The cross references to related material following each chapter analysis.

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## COMPARATIVE SECTION TABLE

EDITOR'S NOTE: Source material for the Codified Ordinances of Fayette was either ordinances or resolutions enacted by Council, or new matter ordained by the Adopting Ordinance. Sections of the Codified Ordinances without any history indicate that such sections contain new matter ordained by the Adopting Ordinance. In the following table, the disposition of all source material in the Fayette Codified Ordinances is indicated.

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70-2	3-12-70	169.01	90-15	9-27-90	941.02
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88-7	11-22-88	941.01(c), 941.03, 941.04			1135.04, 1137.01 to
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2002-10	12-12-02	351.14			
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			2008-08	8-14-08	907.02
2005-03	4-14-05	941.01	2008-10	9-11-08	1147.02
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			2009-15	10-22-09	941.01
			2010-01	1-28-10	Ch. 111 Editor's Note
			2010-06	6-15-10	941.05
			2010-10	9-21-10	505.07
			2010-23	2-28-11	1327.02(b)

Ord. No.	Date	C.O. Section	Ord. No.	Date	C.O. Section
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2011-12	7-27-11	375.01 to 375.03, 375.99	2016-04	5-25-16	103.01 to 103.06
2011-15	9-28-11	1115.01 to 1115.06, 1117.01, 1119.01 to 1119.07, 1121.01 to 1121.14, 1123.01 to 1123.08, 1125.01, 1125.02, 1127.01 to 1127.10, 1133.01 to 1133.05, 1135.01 to 1135.04, 1137.01 to 1137.04, 1139.01 to 1139.04, 1141.01 to 1141.05, 1145.01, 1145.02, 1147.01, 1147.02, 1151.01 to 1151.05, 1153.01 to 1153.05, 1157.01 to 1157.06, 1159.01 to 1159.06, 1163.01 to 1163.09, 1167.01, 1169.01 to 1169.08, 1171.01 to 1171.07, 1173.01 to 1173.07, 1175.01, 1175.02, 1177.01 to 1177.08, 1179.01 to 1179.06, 1181.01 to 1181.04, 1183.01	2016-06	8-19-16	953.01 to 953.06, 953.99
			2016-08	9-28-16	513.16
			2016-12	11-11-16	941.01 to 941.05
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			2017-04	4-12-17	505.01
			2017-07	5-10-17	165.071, 166.201
			2017-15	8-23-17	521.11
			2017-17	12-13-17	941.01
			2017-19	12-27-17	166.03, 166.051, 166.07, 166.091, 166.10
			2018-01	4-25-18	1309.01 to 1309.08, 1309.99
			2018-02	4-25-18	1321.01 to 1321.08, 1321.99
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			2018-04	6-13-18	1309.99
			2018-05	7-11-18	953.01 to 953.06, 953.99
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2014-02	2-25-14	721.01			
2014-03	2-25-14	351.15			
2014-07	7-23-14	509.08			
2014-08	7-23-14	959.04			
2014-14	11-19-14	351.15			
2014-15	9-24-14	339.02			
2014-18	10-22-14	941.01			
2014-21	12-23-14	505.15			
2015-02	4-8-15	521.06			
2015-06	3-24-15	1339.01, 1339.02			
2015-15	3-23-16	1309.01 to 1309.08, 1309.99			
2015-16	3-23-16	1321.01 to 1321.08, 1321.99			

COMPARATIVE SECTION TABLE

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<u>Ord. No.</u>	<u>Date</u>	<u>C.O. Section</u>	<u>Ord. No.</u>	<u>Date</u>	<u>C.O. Section</u>
2022-05	(Cont.)	1143.01 to 1143.09, 1145.01 to 1145.21, 1147.01 to 1147.06, 1149.01 to 1149.08, 1151.01 to 1151.05, 1153.01 to 1153.06, 1155.01 to 1155.06, 1157.01 to 1157.06, 1159.01 to 1159.08, 1161.01 to 1161.06, 1163.01 to 1163.04, 1165.01 to 1165.08, 1167.01			
2022-06	8-10-22	1309.01 to 1309.08, 1309.99			
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2023-09	9-13-23	1301.01 to 1301.37			
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2023-13	11-22-23	941.05(d)			
2023-14	12-27-23	166.062, 166.094, 166.10, 166.27			
2023-18	1-10-24	513.18			

## EXPLANATION OF TABLES OF SPECIAL ORDINANCES

The Codified Ordinances of Fayette 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.

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## TABLES OF SPECIAL ORDINANCES OF FAYETTE

TABLE A - Franchises

TABLE B - Easements

TABLE C - Vacating of Streets and Alleys

TABLE D - Dedication and Plat Approval

TABLE E - Acquisition of Real Property

TABLE F - Lease of Real Property

TABLE G - Street Grade Levels and Change of Street Name

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>
81-11	12-17-81	Grants nonexclusive franchise to Visual Communications America, Inc., for cable TV system in the Village.
83-6	4-28-83	Cancelling cable TV franchise previously granted to Visual Communications America, Inc.
83-7	4-28-83	Grants nonexclusive franchise for antenna TV system in Village.
84-4	3-22-84	Consents to assignment of cable TV franchise to Northern Ohio CATV Associates.
84-11	9-27-84	Accepts proposal of Triax Cablevision.
87-12	12-22-87	Directs contract with Toledo Edision Co. for street lighting in the Village for 3 years.
89-3	5-11-89	Grants to Ohio Gas Co. right to maintain gas works, storage facilities and distribution system in the Village.
Res. 97-01	3-13-97	Consents to sale and assignment of assets, cable TV franchise and lease, from Triax Associates I, L.P. to Frontiervision Operating Partners, L.P.
98-05	10-22-98	Grants cable TV franchise to Frontiervision Operating Partners, L.P.
Res. 2005-05	8-11-05	Approves assignment of franchise and cable system to Time Warner NY Cable LLC.
2006-01	2-23-06	Provides creation and sale of franchise for garbage and refuse collection and disposal; authorities contract with lowest responsible bidder.
2008-02	2-14-08	Provides creation and sale of franchise for garbage and refuse collection and disposal; authorities contract with lowest responsible bidder.



TABLE B - EASEMENTS

<u>Ord. No.</u>	<u>Date</u>	<u>Description</u>
Res. 83-1	1-13-83	Authorizes extinguishing waterline easement across Lots 23 and 28 of G.W. Beaverson Subdivision, Second Extension.
92-08	6-25-92	Authorizes purchase of sewer easement and right of access to install grinder pump from Quality Tube Services, Inc.
2004-12	9-16-04	Accepts and approves permanent easements granted by various property owners in connection with constructing sanitary and storm sewer mains at west end of Village.



TABLE C - VACATING OF STREETS AND ALLEYS

<u>Ord. No.</u>	<u>Date</u>	<u>Description</u>
Res.		
77-4	5-12-77	Closing Eagle St. from south line of Fulton St. to north line of Water St.
78-9	10-12-78	Alley between Lots 25-33, Emerick's Addition (E) and Lots 34-42, Emerick's Addition (W).
78-10	10-12-78	Ann Street.
78-18	1-25-79	Portion of Eagle St.
82-3	n.d.	Alley running to intersection of Gorham St. (W) and intersection of Cherry St. (E).
84-10	9-27-84	Street in Emerick's Addition.
87-3	6-25-87	Alley between lots in L. Gamber's Addition running from Lawrence Street east.
0-89-5	n.d.	North 6 feet of Union Street.
94-05	n.d.	Portion of alley running south from Water St.
94-10	n.d.	Ann St. between Lots 46 and 47 in Emerick's Addition.
96-04	2-8-96	Alley between Lots 1-4(N) and Lots 5-8(S) of Block 9, J.O. Allen Subdivision.
2000-12	9-28-00	Alley between Lots 37 and 38, Springwood Acres Subdivision.
2000-13	11-9-00	Alley between Lots 25-28 and Lots 37-40, Gamber's Addition.
2000-16	10-26-00	Thompson St. between Lots 24 and 37(N) and Lots 25 and 36(S).



TABLE D - DEDICATION AND PLAT APPROVAL

<u>Ord. No.</u>	<u>Date</u>	<u>Description</u>
65	5-23-57	Accepts plat of George Zeigler of George Zeigler's Addition; confirms dedication of streets and alleys.
79-6	10-25-79	Accepts plat of G.W. Beaverson Subdivision, Second Extension to Village.
Res. 2004-08	7-22-04	Accepts dedication of property from Fayette Industrial Properties. See also Table G.
Res. 2011-06	9-28-11	Repeals Resolution 2004-08, accepting a dedication of property from Fayette Industrial Properties, Ltd.



TABLE E - ACQUISITION OF REAL PROPERTY

<u>Ord. No.</u>	<u>Date</u>	<u>Description</u>
66	6-27-57	Authorizes purchase of real estate on land contract from C.E. Stoner for storing Village's trucks and equipment.
68-10	12-12-68	Granting authority to sell part of Lot 4, Block 3 of Keefer's Division to Trustees of Gorham Twp.
Res. R-3	3-27-69	Purchase of 6 acres near Village Park to enlarge present park.
69-7	3-27-69	Authorizes airport for Village; purchase of 3.099 in Gorham Twp. acres from A.G. and F. Kunkle; 3.03 acres in Gorham Twp. from M. and O. Heximer; parcels from G.C. and C. Burkholder in Gorham Twp. for airport purposes.
69-10	8-28-69	Authorizes purchase of 6.837 acres in Gorham Twp. from R. and L. Martin.
69-11	12-11-69	Grants authority to sell Village real estate to Fayette Airport, Inc.
71-4	4-12-71	Authorizes sale to highest bidder of real estate not needed by Village for any municipal purposes.
73-5	n.d.	Authorizes contract to purchase 2 land parcels from R. Creighton, Rt. 1 for water system project.
76-5	8-12-76	Authorizes contract to purchase real estate from Estate of Walter Jewell, deceased.
77-4	8-11-77	Authorizes contract to purchase 2 land parcels from L.A. Stahl.
77-5	8-11-77	Authorizes contract of purchase for real estate from A.W. and R.E. Brentlinger.
84-6	5-10-84	Authorizes sale of real estate known as Railroad Street.
92-01	1-9-92	Authorizes purchase of 2.543 acres for economic development.
92-03	4-9-92	Authorizes sale of 1 acre in Gorham Twp. to the Fayette Investment Group, Inc.
97-06	n.d.	Grants option to purchase 1.543 acres from the Village.
97-10	5-8-97	Authorizes sale of 1 acre to KLC Limited.
Res. 2004-03	6-10-04	Accepts title to 12 acres of real estate from W. Brawley, Jr. and J.L. Brawley.
2021-07	5-6-21	Authorizes a purchase agreement for the purchase of approximately 10.13 acres of real estate located at: Address: Industrial Parkway, Fayette, Ohio; Tax Parcel No(s): 18-035680-00.000 (1.1 acres) Address: Industrial Parkway, Fayette, Ohio; Tax Parcel No(s): 19-038829-00.000 (9.03 acres).



TABLE F - LEASE OF REAL PROPERTY

<u>Ord. No.</u>	<u>Date</u>	<u>Description</u>
Res.		
80-3	6-26-80	Authorizes lease with G. Beaverson for a park playground.
0-1990-10	6-28-90	Authorizes lease with D. Pfund, et ux. for property for mini-pedestrian mall.
98-03	n.d.	Enabling Mayor to enter lease with Frontier Vision Operating Partners, LP for additional land to attach antenna tower to Village water tower.



TABLE G - STREET GRADE LEVELS AND CHANGE OF STREET NAME

<u>Ord. No.</u>	<u>Date</u>	<u>Description</u>
78-6	5-25-78	County Rd. S renamed Industrial Parkway; County Rd. R renamed Gamble Rd.
Res. 2004-08	7-22-04	Public street newly extended from Railroad St. to Park St. as a result of property dedication is renamed Nyce Drive; see Table D.
Res. 2011-06	9-28-11	Public street newly extended from Railroad St. to Park St. as a result of property dedication is renamed Nyce Drive; see Table D.



TABLE H - ANNEXATION AND DETACHMENT OF TERRITORY

<u>Ord. No.</u>	<u>Date</u>	<u>Description</u>
105	10-27-66	Accepts annexation application of Dorson Ford and others for territory in Gorham Twp.
70-11	1-28-71	Accepts annexation application for 22.245 acres in Gorham Twp.
78-1	4-13-78	Accepts annexation application for 4.092 acres in Gorham Twp.
78-2	4-13-78	Accepts annexation application for 0.289 acres in Gorham Twp.
78-3	4-13-78	Accepts annexation application for 14.026 acres in Gorham Twp.
79-2	3-22-79	Authorizes annexation of 2 acres in Gorham Twp.
Res.		
2006-05	4-27-06	Accepts annexation agreement between Gorham Twp. and the Village.
Res.		
2006-12	11-21-06	Accepts annexation of 55.452 acres owned by Gorham Fayette Local School District.



TABLE I - ZONING MAP CHANGES

<u>Ord. No.</u>	<u>Date</u>	<u>Description</u>
93-02	n.d.	Portions of J.J. Gamber's Addition from Light Industrial (M-1) to First Density Residential (R-1) District.
93-10	10-14-93	300 E. Main St. from First Density Residential (R-1) to Highway Commercial (C-2) District.
94-09	8-11-94	202 W. Main St. from First Density Residential (R-1) to General Business (C-1) District.
94-19	1-26-95	Property in J.O. Allen's Addition, Sec. 20, Block 10, Lot 3 from First Density Residential (R-1) to Highway Commercial (C-2) District.
97-16	n.d.	Property at 210 S. Maple St. from R-1 to Open Space District for use as Village park.
2000-10	7-13-00	302 Fulton St. from Highway Commercial (C-2) to Second Density Residential (R-2) District.
2009-07	6-4-09	302 and 304 Fulton St. from Highway Commercial (C-2) to Second Density Residential (R-2) District.
2010-11	7-1-10	611 West Main Street from First Density Residential (R-1) to Highway Commercial (C-2).
2019-13	12-30-19	All parcels of land in the Armstrong Addition East of Cynthia Drive from R-1 to R-2.

