

# NEW AND REVISED ORDINANCES

## VILLAGE OF LAFAYETTE ALLEN COUNTY OHIO

2007

### *Amendments Included*

Where no ordinance exists for the purpose of enforcement, the Village will recognize and enforce the Ohio Revised Code, the Allen County laws or the applicable State and Federal laws.

#### **TABLE OF CONTENTS**

Section 1.	Enforcement
Section 2.	Abandoned and Junk Vehicles
Section 3.	Property Maintenance
Section 4.	Building Code
Section 5.	Zoning
Section 6.	Dangerous, Open or Dilapidated Buildings
Section 7.	Sidewalk Maintenance and Repair
Section 8.	Fences
Section 9.	Trees
Section 10.	Parking on Streets
Section 11.	Parking of Vehicles and Watercraft
Section 12.	Animal Related Nuisance
Section 13.	Registration of Dogs, Tags Required
Section 14.	Barking or Howling Dogs
Section 15.	Noise Ordinance
Section 16.	Disorderly Conduct/Intoxication
Section 17.	Desecration

## **SECTION 1. ENFORCEMENT**

Whenever a violation occurs, the Village will issue a written notice which can be delivered in person or through the U.S. mail service to the last known address of the owner or occupant of the property. Non-receipt of notice or mail by the person to whom it is directed does not excuse the violation. Failure of the owner or occupant to comply with the ordinance and/or pay any monetary penalties, fees or administrative costs will result in the penalty and any related expenses being certified by the County Auditor and attached to the property tax bill as a special assessment and said funds returned to the village in the general fund.

Any Ordinance inconsistent herewith is hereby repealed. If any section, subsection, paragraph, sentence, clause or phrase of this chapter shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this chapter which shall continue in full force and effect and to this end the provisions of this chapter are hereby declared to be severable. Where any regulatory statements are in conflict, the more extensive restrictions and penalties shall apply.

Whoever violates any Ordinance shall be guilty of a misdemeanor and shall be punished as provided in that Ordinance or by local, regional, state or Federal applicable laws. However, any person who is cited for a violation may enter a guilty plea within 72 hours of receiving said citation and pay a waiver fine as indicated on the citation. A guilty plea and payment of fine for one citation does not mean that future citations will not be entered. If the problem is not corrected, the same citation can be issued for the same violation until the violation no longer exists.

After the expiration of the 72 hour period, summons or arrest warrant will be issued and the matter will be docketed in Lima Municipal court and the penalties and costs will be assessed.

All fines, fees, penalties and administrative costs collected by the Allen County Sheriff's department, marshal, deputy, mayor, clerk or other appointment enforcement official levied shall be paid into the Village treasury. Fines can be paid by mailing to the Village of LaFayette, P.O. Box 7184, LaFayette, OH 45854 or dropping payment into the sewer payment lockboxes located in the Community Building and Clum's Grocery. The Clerk shall report to council monthly the amount thereof, from whom and for what purpose.  
(ORC 737.20)

## **SECTION 2. ABANDONED AND JUNK VEHICLES**

It shall be unlawful for any person to park, place, store or allow to remain on any lots, parts of lots, parcels of land, alleys and streets abandoned, inoperative or junk motor vehicles.

“Abandoned motor vehicle” means any motor vehicle left on public or private property for more than 48 hours without the permission of the property owner, village official or person in charge of said property.

“Junk motor vehicle” means any motor vehicle in inoperable condition, motor vehicles unfit for further use or parts of motor vehicles. Junk motor vehicles are defined as those vehicles which are unlicensed, improperly licensed and/or unregistered or any vehicle with disabling damage, such as damage including, but not limited to missing or deflated tire, missing wheel, missing transmission, missing motor or extensive body damage. (ORC 4513.63.)

“Inoperable motor vehicle”-Any motor vehicle not moved for thirty consecutive days shall be presumed to be inoperable.

This section does not apply to any motor vehicle that is a collector’s motor vehicle as defined in ORC 4501.01F. This section does not apply to abandoned, junked or inoperable motor vehicles which are stored in completely enclosed buildings.

No person in charge or control of any private property shall allow any abandoned, junked, inoperative, dismantled or partially dismantled motor vehicle to remain on such property longer than 7 days after notice is served. A copy of said notice shall be conspicuously affixed to the motor vehicle. If a violation of this section occurs and is not corrected within the 7 day period of compliance, the vehicle may be impounded. (ORC 4521.02B)

Whoever violates this ordinance is guilty of a minor misdemeanor and fined \$100 plus the cost of removing the vehicle if impounded.

### **SECTION 3. PROPERTY MAINTENANCE**

#### **A. Purpose and Intent**

The purpose of this chapter is to protect the public health, safety, and general welfare by establishing minimum standards governing the exterior maintenance, condition and appearance of residential and nonresidential structures and premises; to fix responsibilities and duties upon owners and occupants of structures with respect to sanitation, repair and maintenance; to authorize and establish procedures for the inspection of premises; and to fix penalties for violations of this Code.

#### **B. Maintenance and Responsibility**

(1) No owner, agent or occupant of any premises shall maintain or permit to be maintained at or on the exterior property areas of such premise any condition, which deteriorates or debases the appearance of the neighborhood; or creates a fire, safety or health hazard; or which is a public nuisance.

(2) The owner shall be responsible for ensuring that the premises are maintained in good repair and appearance in compliance with this chapter. Occupants shall be responsible for maintaining, in a clean and sanitary condition, these premises or portion thereof, which they occupy and/or control

#### **C. Maintenance Required**

(1) All exterior parts of every dwelling, structure and accessory structures, including decorative additions, chimneys, fences and all other exterior structures, either above or below the roof line, shall be maintained in a safe condition, weather tight, and so as to resist decay or deterioration from any cause.

(2) The exterior of houses, buildings, structures shall be free of unsanitary conditions and hazards to the safety of occupants, pedestrians and other persons utilizing the premises.

(3) The exterior of houses, buildings and structures shall reflect a level of maintenance in keeping with the standards of the village and shall not constitute a blighting factor or an element leading to deterioration of the neighborhood.

(4) The exterior of every house, building and structure, including fences, shall be maintained in good repair, free of broken or loose shingles, siding or bricks, broken windows, crumbling stone or brick, boarded up windows or doors, unpainted wood, excessive peeling paint or other conditions reflective of deterioration or inadequate maintenance.

- (5) The roof and exterior walls of every house or dwelling shall be kept structurally sound and in a state of good repair to avoid safety, health or fire hazards and shall be weather and watertight. No temporary covering such as plastic sheeting shall remain more than 60 days.
- (6) No building or structure which has been boarded up or closed shall remain boarded up or closed for a period longer than six months.
- (7) No owner, occupant or any person, firm or corporation having care of the property shall cause or permit garbage, rubbish, tree or bush branches, brush, discarded articles, litter, boxes, lumber or metal, cans, glass, rags, furniture other than furniture intended for outdoor use, junk, any item of an unsightly or unsanitary nature, or any other material ready for destruction or disposal to be stored, kept or placed outside of any structure or on any premises owned or occupied by such person.
- (8) No owner or occupant of any property shall cause or permit mattresses, furniture (except furniture made specifically for outdoor use), household furnishings, appliances, tires, wheels, or parts of any such items to be kept or placed outside any structure or on any premises owned or occupied by such person except those items which are ordinarily placed for refuse pick-up.
- (9) No person shall abandon, discard, or knowingly permit to remain on premises under his control any abandoned or discarded icebox, refrigerator or other airtight or semi-airtight container, without rendering such equipment harmless to human life by removing such hinges, latches or other hardware which may cause a person to be confined therein.
- (10) No owner, occupant or any person, firm or corporation having care of the property shall store or place building materials including, but not limited to, cement blocks, brick, stone, lumber, fencing, or roofing on any lot or parcel except when such materials are to be used for construction on that same property. Construction must begin within three months of said materials being stored or placed. (ORC 3767.29)
- (11) No owner or occupant of any property shall permit the infestation of rats, vermin, mice, termites, cockroaches or mosquitos.
- (12) The owner or occupant of any property shall keep the property free from grass and weeds in excess of eight inches and shall keep the property free of noxious or harmful weeds or vines.
- (13) No person shall place or park trailers, dumpsters or vehicles containing junk on any street or alley or public or private property except if that person is in the act of loading or unloading junk.
- (14) No person shall place trash containers, barrels or trash bags at the front of their property except 12 hours before and 12 hours after their designated garbage pick-up time. All garbage containers must be stored behind the house, in the rear yard, in an enclosed

building or in a location not easily visible to the public. If any trash containers or plastic bags are torn open by animal, high winds or any other cause and the contents are blown or scattered about the neighborhood, it shall be the responsibility of the owner or occupant to clean up the trash that has been scattered about.

(15) Each house must be clearly marked with the house number assigned and shall have such number displayed in a position easily observed and readable from the public right of way so that emergency vehicles can quickly locate the house.

(16) It is unlawful to cause water from a sump pump, roof or other source to be directed into public streets and alleys or onto neighboring private property.

#### D. Penalty

Any person violating any part of this ordinance shall be guilty of a misdemeanor and shall be fined \$100. Each 24 hour calendar day in which the violation continues shall constitute a separate and distinct violation.

If the person to whom this violation is directed neglects or refuses to correct the condition within 10 calendar days, the village council shall cause offending articles to be removed, grass and weeds to be cut or shall cause such violation to be corrected, removed or abated. The village may employ the necessary labor to perform such a task. Costs will include all direct costs plus an administrative fee of \$50.00. If the owner or occupier of the property fails to pay such expenses within 30 days after being notified in writing, by regular U.S. mail, of the amount due, such expenses may be certified by the council to the county auditor and placed upon the property tax bill for collection as a special assessment and collected as other taxes and assessments and returned to the Village general fund.

#### E. Time Extension for Compliance

Where the owner and/or occupant of a premises is unable to comply with a notice of violation within the time period specified, the owner may enter into an agreement with the Village detailing a program to abate non-conformance within a reasonable time limit.

## **SECTION 4. BUILDING ORDINANCE**

### **A. Purpose**

One of the purposes of a building ordinance is to preserve the small town character of LaFayette. Because of the relative closeness of homes in a small area, the atmosphere of our village over the years provides a unique neighborhood experience. The diversity of homes is part of our character and a building code is intending to enhance individuality and diversity, avoiding the sameness or monotony sometimes associated with new development. With limited space available within the village, it is our intent to emphasize ownership of family homes which reflect the long-standing traditions of our town.

To accomplish these goals, the purpose of this Building Ordinance and the intent of the legislative authority in its adoption is to promote and protect, to the fullest extent permissible under Ohio Laws, the public health, safety, convenience, comfort, prosperity, and the general welfare of the Village of LaFayette, Ohio by regulating the use of buildings, other structures, and land for residences, public facilities, business, services, industry, or other purposes to insure their orderly and beneficial development. The goals of this ordinance are:

1. To protect the character and values of residential, public, business and commercial property and usage.
2. To provide adequate open spaces for light, air and outdoor uses;
3. To prevent overcrowding of land;
4. To prevent excessive concentration of population; and, on the other hand, to prevent sparse and uncoordinated development;
5. To regulate and control the location and spacing of buildings on the lot and in relation to the surrounding property so as to maintain the public health and welfare of the citizens of the Village of LaFayette.
6. To regulate the location of building and intensity of uses in relation to streets according to plans so as to cause the least interference with, and be damaged least by traffic movement to lessen street congestion and improve safety;
7. To establish patterns that insure efficient and economical extensions for sewers, water supply, waste disposal and other public utilities, as well as development of recreation and other public facilities.

(ORC 715.26 and 737.38)

## B. Building requirements/Building permit

No building, structure or use enumerated in this ordinance shall be constructed hereinafter except with a building permit and upon the following conditions:

A site plan and general building plan showing the proposed development of the site and lot and the design, location and uses of buildings, structures and open spaces as proposed shall be first submitted to Village Council. No parcel of land shall be sub-divided without first being submitted to Village Council for approval.

The Council shall within sixty (60) days approve or deny such proposal. Approval shall be given if the Council finds that the building, structure or use will, in the judgment of the Council, substantially serve the public convenience and welfare, will not substantially and permanently injure or interfere with the appropriate or existing permitted use of neighboring property, will not substantially and permanently injure or depreciate the value of such neighboring property and the village in general and will conform with the applicable restrictions of this Building Ordinance.

The applicant for a building permit shall pay a fee, set by Council, at the time a permit is issued.

## C. Building Size

Every single family dwelling hereinafter constructed shall have a minimum foundation area and a finished livable floor area as follows. In determining floor area, only those areas used for living quarters shall be counted. Garages, carports, porches, patios, basements and utility rooms not suitable for year round occupancy are to be excluded.

- 1) If a one story construction, a foundation of not less than 1300 square feet and a finished livable floor area of not less than 1300 square feet.
- 2) If a two story, 1 ½ story or split level construction, a foundation of not less than 800 square feet and a finished livable floor area of not less than 1600 square feet.
- 3) Existing lots which are smaller than 7800 square feet or fail to meet the lot size requirement of 30 feet of frontage by 130 feet of depth shall have a minimum foundation of not less than 17% of the lot size for a one story construction, nor less than 20% of the lot size for a two story, 1 ½ story or split level construction.

Every dwelling shall have a basement or permanent foundation made of concrete or masonry and must be affixed to this permanent foundation and connected to appropriate facilities.

Every dwelling must have a width of at least 24 feet and a length of at least 24 feet, excluding garages, porches and attachments.

Every dwelling shall have a 3:12 residential roof pitch and six inch minimum eave overhang including appropriate guttering.

No roof line shall exceed 35' in height.

Off street parking shall be provided for in the construction plan for every single family dwelling

#### D. Lot requirements

There shall not be more than one family dwelling per lot. Family dwelling is defined as including any structure built to house one family or one head of household. A duplex, triplex or apartments shall not be considered as a one family dwelling.

The side lot lines shall be as close to right angles as practical to straight street lines or radial to curved street lines and run as such the entire length of the lot to the rear lot line. Lots shall thus be rectangular in general form. Dwellings shall front the street that the lot is situated on. Triangular, elongated, acute angles, irregular boundaries or other shapes shall be specifically avoided unless otherwise approved by the Village Council.

Lots shall not be any smaller 60 feet by 130 feet unless said lot is one already in existence with a family dwelling in place prior to the effective date of this ordinance. Smaller existing parcels of land which are vacant of a family dwelling shall require permission from the Village Council before construction of any building begins.

Lot size for any sub-divided parcel hereinafter shall not be less than 7,800 square feet or more than one acre. Minimum front yard depth shall be no less than 30 feet or must line up with existing dwellings. There shall be a distance of at least five feet set back from any property lines and boundaries so that there will be no less than ten feet between family dwellings located on adjacent lots. The size of the required yard shall be measured as the shortest distance between the main structure and a property line.

Accessory structures, whether attached to the main structure or detached, shall not be located less than five feet from any property line and boundary. An accessory structure is defined as any structure with a permanent foundation. A building permit is required and approval obtained from the Village Council before the construction, addition or reconstruction of any accessory structures.

#### E. Planned Unit Development/ Planned Residential Development

Planned developments allow for more creative design and use of land. A plan shall be submitted to the Village Council before approval of any Planned Development. Before any construction begins, a General Plan must be submitted to the Village Council along with a plat map. The Council must approve or deny the plan within 60 days.

## **SECTION 6. DANGEROUS, OPEN OR DILAPIDATED BUILDINGS**

No property owner, tenant or person having control of property shall directly or indirectly create or allow dangerous conditions to exist on his premises.

“Dangerous conditions”, as used in this section, are defined as any open, unguarded or unprotected excavation or building which when abandoned or left open or otherwise unprotected will likely prove dangerous to life or limb; or an abandoned, open, uncovered or otherwise unprotected well, cesspool, sink hole, cistern or catch basin; or an abandoned building which has deteriorated to the extent that it is falling down or is otherwise dangerous to life or limb.

No property owner, tenant or person having control of property shall permit any premise to be in such state of disrepair as to be considered a nuisance or a hazard to the health or safety of persons residing in the vicinity of the structure or of passersby. Any of the following violations shall be considered a nuisance and hazardous: Loose bricks displaced from walls or chimneys; gutters, awnings or cornices which are sagging, collapsed or have fallen from the structure; windows containing broken glass; open holes on the exterior of the building or on the property; exterior stairs, porches, balconies or steps which are in such a condition as to be unsafe; foundations and walls caving in; any structure which does not have windows, doors or other openings properly secured; roof sagging to a state that structural failure is possible or roof material in such disrepair that human safety becomes a concern; any detached structure that is falling down. (ORC 715.26)

Whoever violates this section is guilty of a misdemeanor and fined \$100. Each day that the violation continues shall constitute a separate offense.

## **SECTION 7. SIDEWALK MAINTENANCE AND REPAIR**

It shall be the duty of each property owner to construct and keep sidewalks in good and passable repair. Each property owner or occupant must keep any sidewalk free of obstructions.

The village will investigate complaints filed by any resident who believes a sidewalk is a safety issue and will inspect sidewalks to determine if it is unsafe.

It is unlawful for anyone to cause destruction of a sidewalk by driving heavy equipment onto sidewalk and causing cracks, dropping heavy items on sidewalk and causing cracks or chips or causing or allowing paint, grease, oil or other substances to permanently stain the sidewalk.

Sidewalks width shall be a minimum of 48 inches or shall match the abutting sidewalk, whichever is larger. The surface of the walk shall have a transverse slope of one-fourth inch per foot with the low side adjacent to the roadway. Line and grade will be set by the Council. Construction of sidewalks shall be of concrete in accordance with Ohio Department of Transportation specifications for Class C Portland concrete.

If a block or square of the sidewalk needs to be replaced, the area to be replaced shall be cut and squared. Proper gravel fill shall be used and concrete shall be poured properly.

If one or two blocks are tilted, it is permissible to raise the block, level and retamp the gravel and replace the block so long as no obstruction remains. Filler cement is not permitted to reduce obstructions.

Each property owner or occupant of any building or land where there is a sidewalk in front of or alongside shall keep trees trimmed to a height of at least 12 feet above the sidewalk to allow for easy passage of pedestrians.

The owner, occupant or any person having the care of property abutting a street or alley shall cause the sidewalk to be clear of snow and ice within the first six daylight hours after the snow or ice has ceased so that pedestrians will have safe passage.

If a sidewalk is found to be in need of repair or is a safety concern to pedestrians, the property owner will be notified in writing by U.S. mail to repair such sidewalk or trim trees within 60 days.

If the property owner neglects or refuses to repair or maintain sidewalk or trim trees, the village council may cause the said sidewalk to be maintained or repaired and may employ the necessary labor to perform such a task. Costs will include all direct costs for repair/replacement of sidewalks or trimming of trees. If the property owner fails to pay such expenses after being notified in writing by U.S. mail of the amount due, such expenses may be certified by the council to the county auditor and placed upon the property tax bill for collection as a special assessment and collected as other taxes and assessments.

## **SECTION 8. FENCES**

Fences discourage openness, restrict air, light and view and create barriers between and among neighboring residential properties in the village. If fences are erected, the design, materials and construction shall be aesthetically pleasing and enhance the areas in which they are located.

Boundary fences, which are erected along a lot line for the purpose of enclosing a lot or creating a barrier between lots shall have a minimum six inch side yard and rear yard setback from the property line. If the fence is erected along an alley, the setback must be at least three feet from the alley to allow snowplows and other vehicles passage. Boundary fences shall be limited to rear yards only or shall not extend in front of the front side of the main structure.

Barbed wire or other types of wire fencing shall generally be prohibited unless such fence does not conflict with the provisions in the ordinance. Any home constructed after the date of passage of this ordinance shall not erect new barbed wire or any wire fencing. For homes in existence at the time of passage of this ordinance, current fences may remain but no new chain link, barbed wire or any other wire fences will be permitted without the written permission of the Village council.

Decorative fences in front yards shall not exceed four feet in height. No fence shall exceed a height of six feet above ground level.

The finished side or decorative side of all fences shall face the neighboring properties.

## **SECTION 9. TREES**

No person shall remove or plant trees on public property or public right-of ways without first obtaining permission of the village council.

No person shall break or injure the roots, trunk or limbs of any tree or shrub on public property or public right of way or shall tack or post any kind of notice or advertisement to trees planted on public property. Trimming of trees as required by Section 7 for clearance above sidewalks shall not be deemed to be damaging to the tree.

The village shall have the right to plant, trim, preserve and remove all trees and shrubbery on public property and public right of ways as may be necessary to insure safety or to preserve the beauty of the public grounds.

## **SECTION 10.           PARKING**

It shall be unlawful to park any vehicle, trailer, recreational vehicle, watercraft blocking any sidewalk or alley. Sidewalks and alleys are to remain open and free to passersby and other vehicles and emergency vehicles.

It shall be unlawful to park or leave unattended any motor vehicle, truck, tractor trailer, motorcycle, boat, recreational vehicle, trailer, bus or other vehicle entirely or partially within a front yard or alley of any residential property unless such vehicle is entirely within a driveway or parking area that has been approved as such by the Council of the village of LaFayette. The front yard shall extend from the residence to the edge of the sidewalk. In the event there is no sidewalk, the front yard shall extend eight feet from the edge of the paved street to the residence. In case of any parcel of land which borders on more than one street, front yard means those yards which extend along all streets which border such parcel.

No recreational vehicle, tow-type vehicle or boat may be parked on public streets or alleys except for a period of 72 hours per month in duration for the purpose of loading, unloading, cleaning and maintenance. Parking shall not be in a manner to cause unsafe conditions, blocking of pedestrian walkways or alleys, interference with traffic, and/or blocking the view of the street, residence or of neighboring houses. No vehicle may block or overhang any sidewalks or pedestrian walkway.

**SECTION 11.**

**PARKING or STORING OF MOTOR VEHICLES  
AND WATERCRAFT**

No person shall be allowed to park motor vehicles, recreational vehicles and watercraft on streets or alleys if that vehicle or watercraft is not properly licensed for immediate use or is not in sound operating condition or is a commercial vehicle. Any vehicle parked, stored or kept at or near the same location for 30 days, or missing a tire, wheel, engine, transmission, windshield or door shall be presumed not to be in sound operating condition. The parking, storage or keeping of such vehicles or watercraft shall be limited to the following locations:

In the garage, shed, barn or driveway on the premises.

If no driveway or structure exists, then no more than a total of two motor vehicles, recreational vehicles and/or watercraft may be parked, stored or kept in the rear yard.

If the person to whom this violation is directed neglects or refuses to correct the condition within 10 calendar days, the village council shall cause offending vehicle or watercraft to be removed and impounded and may employ the necessary labor to perform such a task. Costs will include all direct costs for removal and impounding plus an administrative fee of \$100.00. If the owner or occupier of the property, vehicle or watercraft fails to pay such expenses within 30 days after being notified in writing, by regular U.S. mail, of the amount due, such expenses may be certified by the council to the county auditor and placed upon the property tax bill for collection as a special assessment and collected as other taxes and assessments.

## **SECTION 12. ANIMAL RELATED NUISANCE**

No person shall permit animal related nuisances or conditions to occur. The owner of any animal shall include any person who owns or has any animal in his or her custody, care, control, or possession, including persons who provide food, drink or care to stray animals. (ORC 951.02) These nuisances and conditions include:

Attacking or chasing people or other animals, with the exception of trespassers upon the private premises of the animal owner;

Damaging public or private property, to include failure of the owner, keeper or walker of any animal to immediately remove any feces deposited by such animal on the property of another person;

Running at large upon any public place, or upon any unenclosed lands or upon the premises of another, while not being securely restrained by a lease or in the control of the owner, keeper or walker;

Making noise in an excessive, continuous or untimely manner which is loud enough to be heard beyond the premises where the animal is kept;

Creating stench/offensive odor or general unsanitary conditions so as to interfere with the reasonable use, comfort and enjoyment of property or neighborhood.

Any person violating this Ordinance shall be guilty of a misdemeanor and shall be fined \$100. Each 24 hour calendar day shall constitute a separate and distinct violation.

**SECTION 13.           REGISTRATION OF DOGS; TAGS REQUIRED**

No owner, keeper or harbinger of a dog more than three months of age shall fail to file an application for registration of a dog required by Ohio Revised Code 955.21 (ORC 955.21)

Whoever violates this section shall be guilty of a misdemeanor and fined \$100.

**SECTION 14.            BARKING OR HOWLING DOGS**

No person shall keep or harbor any dog which, by loud or frequent barking, howling, or yelping disturbs the peace, quiet and good order of the village. Any person who allows any dog to remain, be lodged or fed on property he or she owns or occupies shall be considered to be harboring such dog.

Any person violating this Ordinance shall be guilty of a misdemeanor and shall be fined \$100. Each 24 hour calendar day shall constitute a separate and distinct violation. (ORC 715.23, 955.22.1)

## **SECTION 15. NOISE ORDINANCE**

It shall be unlawful for any person to disturb the good order and peace of the village by creating loud or disturbing noises which annoys, disturbs, injures or endangers the comfort, health, peace and safety of a reasonable person of normal sensitivities. The following acts are declared to be in violation of this ordinance:

- (a) Playing a radio, television, or any music or voice reproduction device which produces a noise disturbance heard across a property boundary.
- (b) Playing a radio, television or any music or voice reproduction device which produces a noise disturbance heard outside of a vehicle operated on a public right of way or roadway.
- (c) Using obscene or profane language which can be heard across a property boundary.
- (d) Peeling or squealing of tires or revving of an engine in a manner which causes excessive noise. No person shall unnecessarily race the motor of any vehicle and no person shall operate any motor vehicle, except in an emergency, in such a manner that the vehicle is so rapidly accelerated or started from a stopped position that the exhaust system emits a loud, cracking or chattering noise unusual to its normal operation, or whereby the tires of such vehicle squeal or leave tire marks on the roadway, commonly called "peeling".

Any person violating this ordinance shall be guilty of a misdemeanor and shall be fined \$100. Each 24 hour calendar day shall constitute a separate and distinct violation.

## **SECTION 16. DISORDERLY CONDUCT/ INTOXICATION**

No person shall recklessly cause inconvenience, annoyance or alarm to another by doing any of the following:

- (a) Engaging in fighting, in threatening harm to persons or property, or in violent or turbulent behavior;
- (b) Hindering or preventing the movement of persons on a public street, road, highway or right of way, or to, from, within or upon public or private property, so as to interfere with the rights of others, and by any act which serves no lawful and reasonable purpose of the offender;
- (c) Creating a condition which is physically offensive to persons or which presents a risk of physical harm to persons or property, by any act which serves no lawful and reasonable purpose of the offender
- (d) Disorderly conduct is a misdemeanor of the fourth degree if any of the following applies:

The offender persists in disorderly conduct after reasonable warning or request to desist.

The offense is committed in the vicinity of a school or in a school safety zone.

The offense is committed in the presence of any law enforcement officer, firefighter, rescuer, medical person, emergency medical services person, or other authorized person who is engaged in the person's duties at the scene of a fire, accident, disaster, riot or emergency of any kind

**SECTION 17.            DESECRATION**

No person, without privilege to do so, shall purposely deface, damage, destroy, pollute or otherwise physically mistreat any of the following:

- (a) The flag of the United State of America, the flag of the State of Ohio, the POW/MIA flag or any flag flown, draped or hung by the Village of LaFayette or it's designees on public property;
- (b) Any public or private monument or historic marker;
- (c) Any other historical, memorial or commemorative marker, flag or banner located on public or private property or in cemeteries.
- (d) Any object of reverence or sacred devotion.

Whoever violates this section shall be guilty of a misdemeanor and be fined no less than \$100. State and Federal charges may also apply and be added separately.