

**VILLAGE OF YELLOW SPRINGS, OHIO**

**ORDINANCE 2019-07**

**REPEALING SECTION 1226.01 “DEFINITIONS” OF THE CODIFIED ORDINANCES OF THE VILLAGE OF YELLOW SPRINGS, OHIO AND ENACTING NEW SECTION 1226.01 “DEFINITIONS”**

**Whereas**, the Codified Ordinances of the Village of Yellow Springs currently do not include “electric lines” and “transformers” in the definition section; and

**Whereas**, because the Village of Yellow Springs owns and operates an electric utility, these items should be considered as part of the whole when discussing necessary infrastructure improvements;

**NOW, THEREFORE, COUNCIL FOR THE VILLAGE OF YELLOW SPRINGS, OHIO HEREBY ORDAINS THAT:**

**Section 1.** Chapter 1226.01 entitled “Definitions” of the Codified Ordinances of the Village of Yellow Springs, Ohio be repealed.

**Section 2.** A new Chapter 1226.01 entitled “Definitions” of the Codified Ordinances of the Village of Yellow Springs, Ohio be enacted to read as set forth on Exhibit A with new language underlined and deleted language in ~~strikethrough~~, which is attached hereto and incorporated herein.

**Section 3.** This ordinance shall take effect and be in full force at the earliest date permitted by law.

\_\_\_\_\_  
Brian Housh, President of Council

Passed: 4-15-2019

Attest: \_\_\_\_\_  
Judy Kintner, Clerk of Council

**ROLL CALL**

Brian Housh   Y        Marianne MacQueen   Y        Kevin Stokes   Y  

Lisa Kreeger   Y        Kineta Sanford   Y

## 1226.01 DEFINITIONS.

As used in this chapter:

(a) “Easement” means a grant by the property owner of a use of real property by the public or by a public utility for public purposes.

(b) “Improvements” means street pavements, with or without curb and gutter, sidewalks, water mains, sanitary and storm sewers, electric lines and transformers, street trees and other appropriate items.

(c) “Lot” means a portion of a subdivision or other parcel of land intended as a unit for transfer of ownership or development.

(d) “Official Land Use Plan” means the system of thoroughfares, open spaces and land use development patterns adopted by Council, on recommendation of the Planning Commission, on November 7, 1977, as Resolution 77-42, and subsequent amendments thereto. A summary of planning elements may be had in the form of a map titled “Land Use Plan,” which is on display in the Village Council Chambers.

(e) “Plat” means a map and description showing the location, boundaries and ownership of individual properties in conformance with minimum size regulations in place at the time.

(f) “Professional engineer” means a person who has been registered as provided for by Ohio R.C. 4733.01 to 4733.23.

(g) “Replat” means the recombining of land parcels or lots that results in the same or fewer number of total parcels or lots that conform with current minimum size requirements.

(h) “Right-of-way” means the width between property lines of a street or alley, or the area contained within an easement.

(i) “Street” means a thoroughfare as defined by the Official Thoroughfare Plan.

(j) “Subdivision” means a division of a plot, tract or parcel of land into two or more lots or other divisions of land for the purpose, immediate or future, of transfer of ownership or development.

(k) “Surveyor” means a person who is registered by the State of Ohio to perform land surveying functions.

(l) “The practice of engineering” includes any professional service, such as consultation, investigation, evaluation, planning, design or inspection of construction or operation, for the purpose of assuring compliance with drawings or specifications in connection with any public or privately owned utilities, structures, buildings, machines, equipment, processes, works or other projects.

The definitions of other terms, not included above, may be sought from [Chapter 1284](#) of the Village of Yellow Springs Zoning Code or other sources deemed appropriate by the Planning Commission. The Commission will be strongly guided by definitional statements in the Subdivision Regulations of Greene County, Ohio, as amended.