

Codified Ordinances  
of  
Geneva-on-the-Lake  
Ohio

Complete to November 7, 2016

CERTIFICATION

We, Dwayne M. Bennett Sr., Mayor, and Kimberly McKinley, Fiscal Officer, of Geneva-on-the-Lake, Ohio, hereby certify that the general and permanent legislation of the Village of Geneva-on-the-Lake, Ohio, as revised, arranged, compiled, numbered, codified, and printed herewith in component codes, is correctly set forth and constitutes the Codified Ordinances of the Village of Geneva-on-the-Lake, Ohio, 2007, as amended to November 7, 2016.

/s/ Dwayne M. Bennett Sr.  
Mayor

/s/ Kimberly McKinley  
Fiscal Officer

Codified, edited and published  
by  
THE WALTER H. DRANE COMPANY  
Cleveland, Ohio

VILLAGE OF GENEVA-ON-THE-LAKE

DIRECTORY OF OFFICIALS

(2016)

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Alicia Boothe	Administrative Assistant/ Clerk of Mayor's Court

The publisher  
expresses its appreciation

to

**KYLE SMITH**  
Solicitor

**KIMBERLY McKINLEY**  
Fiscal Officer

and all other Village officials  
who gave time and counsel to the  
preparation of the  
Codified Ordinances.

## ORDINANCE NO. \_\_\_\_ - 2007

AN ORDINANCE TO APPROVE, ADOPT AND ENACT THE CODIFIED ORDINANCES OF THE VILLAGE OF GENEVA-ON-THE-LAKE, OHIO; TO REPEAL ORDINANCES IN CONFLICT THEREWITH; TO PUBLISH THE ENACTMENT OF NEW MATTER THEREIN; AND DECLARING AN EMERGENCY.

THAT WHEREAS, the Council of the Village of Geneva-on-the-Lake, Ohio, has had the matter of codification and general revision of the ordinances before it for some time; and

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

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codification of such ordinances, together with the new matter to be adopted, the matters to be amended and those to be repealed are before the Council;

NOW, THEREFORE, BE IT ORDAINED, by 3/4 vote of the Council of the Village of Geneva-on-the-Lake, Ohio:

**SECTION 1:** That the ordinances of the Village of Geneva-on-the-Lake, Ohio, of a general and permanent nature, as revised, codified, rearranged and consolidated into component codes, titles, chapters and sections are hereby approved, adopted and enacted as the Codified Ordinances of Geneva-on-the-Lake, Ohio.

One book-form copy of the Codified Ordinances shall be certified as correct by the Mayor and the Fiscal Officer, attached to this Ordinance as a part hereof, and filed with the permanent records of the Village of Geneva-on-the-Lake, Ohio.

**SECTION 2:** That the provisions of this Ordinance, including all provisions of the Codified Ordinances, shall be in full force and effect as provided in Section 4 of this Ordinance. All ordinances and resolutions or parts thereof enacted prior to February 1, 2007, which are inconsistent with any provision of the Codified Ordinances, are hereby repealed as of the effective date of this Ordinance except as follows:

- (a) The enactment of the Codified Ordinances shall not be construed to affect a right or liability accrued or incurred under any legislative provisions prior to the effective date of such enactment, or an action or proceeding for the enforcement of such right or liability. Such enactment shall not be construed to relieve any person from punishment for an act indictment or prosecution therefor. For such purposes, any such legislative provision shall continue in full force notwithstanding its repeal for the purpose of revision and recodification.

- (b) The repeal provided above shall not affect:
  - (1) The grant or creation of a franchise, license, right, easement or privilege.
  - (2) The purchase, sale, lease or transfer of property.
  - (3) The appropriation or expenditure of money or promise or guarantee of payment.
  - (4) The assumption of any contract or obligation.
  - (5) The issuance and delivery of any bonds, obligations or other instruments of indebtedness.
  - (6) The levy or imposition of taxes, assessments or charges.
  - (7) The establishment, naming, vacating or grade level of any street or public way.
  - (8) The dedication of property or plat approval.
  - (9) The annexation or detachment of territory.
  - (10) Any legislation enacted subsequent to February 1, 2007.

**SECTION 3:** That pursuant to Ohio Revised Code 731.21 and 731.23 the Fiscal Officer shall cause to be published in a manner required by law this Adopting Ordinance together with a brief summary of the new matter contained in the codification adopted hereby.

**SECTION 4:** That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the residents of the Village, the reason for the necessity being that there exists an imperative need for the earliest publication and distribution of the Codified Ordinances to the officials and residents of the Village, so as to facilitate administration, daily operation and avoid practical and legal entanglements.

Passed as an emergency measure this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

/s/ \_\_\_\_\_  
MAYOR

ATTEST: /s/ \_\_\_\_\_  
FISCAL OFFICER

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## EDITOR'S NOTE

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

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

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

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



## GENERAL INDEX

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

- (a) The comparative Section Table which indicates in the Codified Ordinances the disposition of the ordinances or resolutions integrated therein.
- (b) The table of contents preceding each component code, and the sectional analysis preceding each chapter.
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## COMPARATIVE SECTION TABLE

EDITOR'S NOTE: Source material for the Codified Ordinances of Geneva on the Lake 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 Geneva on the Lake Codified Ordinances is indicated.

<u>Ord. No.</u>	<u>Date</u>	<u>C.O. Section</u>	<u>Ord. No.</u>	<u>Date</u>	<u>C.O. Section</u>
311	6-3-46	729.01 to 729.07, 729.99	789	4-7-80	1115.01, 1125.01, 1125.02(a)(2),(c), 1125.03 to 1125.05, 1125.06(c) to 1125.10
348	3-1-48	141.02			
435	10-10-55	709.01			
443	6-4-56	143.01			
474A	7-5-60	717.01, 717.02	835	4-18-83	1529.01, 1529.02
519	4-26-65	725.01	863	2-4-85	Ch.929 Ed.Note
540	7-21-66	139.01	866	3-18-85	135.01 to 135.03
604	8-20-70	183.01 to 183.03	901	6-1-87	Zon.Appx.A
1261	4-19-71	509.10	905	8-17-87	505.15
642	1-15-73	1341.01 to 1341.05, 1341.99	906	9-8-87	505.14
654	5-7-73	1111.01 to 1111.06, 1113.01 to 1113.07, 1113.09 to 1113.14, 1113.17 to 1113.20, 1115.02 to 1115.06, 1121.01 to 1121.03, 1121.05 to 1121.13, 1122.01 to 1122.08, 1125.01 to 1125.10, 1127.01 to 1127.10, 1131.01 to 1131.12, 1133.01 to 1133.15, 1135.01 to 1135.10, 1141.01, 1141.02, 1141.07, 1141.09, 1143.01 to 1143.11, 1145.01 to 1145.04, 1147.01 to 1147.04	907	9-14-87	Zon.Appx.A, 1125.02(a)(2)B
			916	3-7-88	181.01 to 181.14
			923	6-10-88	333.03(b)(6)
			925	6-10-88	713.01 to 713.03, 713.99
			926	7-18-88	Zon.Appx.A
			962	3-19-90	Zon.Appx.A
			997	5-28-92	183.04
			998	7-20-92	509.08
			1019	2-22-94	509.09
			1033	11-7-94	1331.01 to 1331.05, 1331.99
			1035	1-17-95	Zon.Appx.A
			1049	9-5-95	1311.01 to 1311.07, 1311.99
			1065	9-3-96	351.15
			1066	9-3-66	373.12
			1071	12-2-96	351.14
758	6-19-78	701.13	1072	12-2-96	351.03(a)(17)to(19)

COMPARATIVE SECTION TABLE

<u>Ord. No.</u>	<u>Date</u>	<u>C.O. Section</u>	<u>Ord. No.</u>	<u>Date</u>	<u>C.O. Section</u>
1070	1-6-97	1151.01 to 1151.19, 1151.99	2006-87	11-27-06	1351.01 to 1351.08
1096	4-20-98	701.12	Adopting Ordinance		101.01 to 101.08,
1111	4-5-99	Zon.Appx.A			101.99, 301.01 to
1125	6-19-00	1155.01, 1155.02, 1155.99			301.52, 303.01 to
1131	9-18-00	705.01 to 705.03			303.09, 303.11,
1141	6-18-01	Zon.Appx.A			303.99, 305.01 to
1149	11-5-01	141.03			305.05, 311.01 to
1164	10-7-02	Zon.Appx.A			311.03, 313.01 to
1165	10-7-02	Zon.Appx.A			313.11, 331.01 to
1166	7-15-02	505.16			331.43, 333.01 to
1176	2-3-03	Zon.Appx.A			333.10, 335.01 to
1178	6-4-03	1121.04			335.14, 337.01 to
1181	6-4-03	133.01 to 133.03			337.30, 339.01 to
1220	6-21-04	921.02 to 921.08, 921.99			339.11, 341.01 to
1224	9-20-04	133.04			341.06, 351.01 to
35-2005	6-6-05	905.01 to 905.10			351.13, 371.01 to
2005-01	2-22-05	121.01			371.12, 373.01 to
2005-02	2-22-05	123.01			373.11, 375.01 to
2005-03	3-21-05	303.10			375.08, 501.01 to
2005-04	3-21-05	557.01 to 557.09, 557.99			501.12, 501.99,
2005-10	3-21-05	145.01			505.01 to 505.13,
2005-15	4-4-05	921.01			505.99, 509.01 to
2005-27	5-2-05	185.01 to 185.08, 185.99			509.07, 509.99,
2005-29	6-6-05	133.05			513.01 to 513.14,
2005-33	7-18-05	139.02			517.01 to 517.14,
2006-05	1-3-06	951.01 to 951.05			517.99, 521.01 to
2006-14	2-6-06	141.01			521.10, 525.01 to
2006-16	4-3-06	Zon.Appx.A			525.17, 529.01 to
2006-17	4-3-06	Zon.Appx.A			529.08, 533.01 to
2006-17	10-16-06	701.01, 701.02			533.13, 537.01 to
2006-18	4-3-06	1121.02(c)(d), 1121.08(a), 1125.02(a)(1), 1125.06(a)(b)			537.18, 541.01 to
2006-19	4-3-06	1121.04, 1136.01 to 1136.07			541.10, 545.01 to
2006-20	4-3-06	1113.05(I), 1141.08; Repealed 1141.03 to 1141.05			545.20, 549.01 to
2006-37	10-16-06	701.03 to 701.11, 701.99			549.11, 553.01 to
2006-38	5-15-06	315.01 to 315.11, 315.99			553.05, 709.99, 717.99, 725.99,
2006-57	9-5-06	Ch. 147 Editor's Note			1171.01 to 1171.03, 1173.01 to 1173.04,
2006-64	9-18-06	901.01 to 901.15			1175.01 to 1175.11, 1177.01, 1177.99,



<u>Ord. No.</u>	<u>Date</u>	<u>C.O. Section</u>	<u>Ord. No.</u>	<u>Date</u>	<u>C.O. Section</u>
2006-53	4-2-07	937.01 to 937.11, 937.99	2012-10	4-2-12	1157.01 to 1157.11
2007-07	4-2-07	1121.07(c)	2012-17	3-19-12	1311.01, 1311.02, 1311.04(a), (b), repeals 1311.03
2007-08	2-20-07	143.01 to 143.05			
2007-10	4-2-07	1121.11	2012-26	6-18-12	1173.02(e)
2007-16	3-5-07	131.01	2012-27	5-21-12	505.14(a), repeals 505.15(a)(8)FF.
2007-22	4-16-07	1361.01 to 1361.03, 1361.99	2012-28	5-7-12	181.03, 181.06
2007-25	5-21-07	1125.02	2012-30	5-7-12	181.14
2007-26	5-21-07	701.01 to 701.11	2012-45	6-18-12	141.03(a)
2007-42	8-20-07	1311.01, 1311.04	2012-53	8-6-12	151.01 to 151.09
2007-48	9-4-07	141.03(a), (c)	2012-67	9-4-12	Repeals 709.01, 709.99
2007-62	12-3-07	951.04			
2007-63	12-3-07	1173.02(d)	2012-68	9-4-12	725.01
2008-06	1-22-08	133.06	2012-71	4-15-13	345.01 to 345.08, 345.99
2008-14	3-17-08	181.03(e)(6)			
2008-38	12-15-08	181.08(e)	2012-77	3-4-12	1143.08
2008-52	8-4-08	557.08, 557.09	2013-19	2-18-13	181.08
2008-61	7-21-08	921.09	2013-58	10-7-13	921.01
2008-69	9-15-08	921.12	2013-74	11-18-13	505.11
2008-88	12-1-08	701.04	2014-1	1-20-14	121.02
2008-95	12-15-08	141.01	2014-50	10-20-14	921.01
2009-06	2-2-09	951.01 to 951.07, 951.99	2015-25	5-4-15	133.05
2009-22	3-16-09	729.01	2015-82	1-18-16	1121.06(b)
2009-27	4-6-09	921.10	2015-83	11-16-15	182.01 to 182.21, 182.97 to 182.99
2009-33	5-4-09	148.01 to 148.06	2015-86	11-16-15	921.01
2009-37	5-18-09	185.02	2015-88	12-7-15	147.02
2009-40	5-4-09	921.11	2016-04	2-15-16	701.04
2009-77	9-21-09	951.08	2016-05	2-15-16	1371.01 to 1371.13, repeals 1157.03
2009-86	10-5-09	181.06			
2009-88	10-5-09	149.01			
2009-93	12-17-09	1371.01 to 1371.05	2016-11	2-15-16	185.04
2009-96	11-16-09	701.03, 701.05, 701.10, 701.11, 701.99	2016-13	3-7-16	921.04
			2016-14	3-7-16	921.11(e), (f), repeals 133.05(a)
2010-13	2-8-10	181.14(a)	2016-33	5-16-16	1371.01 to 1371.13
2010-74	11-15-10	1345.01 to 1345.03, 1345.99	2016-43	11-7-16	1121.06(a)
			2016-44	9-19-16	1361.01 to 1361.07, 1361.99
2010-87	11-15-10	303.084			
2011-20	2-23-11	139.03	2016-48	9-6-16	182.051(B)(1)(a), (b), (c)(1), (2)
2011-22	2-23-11	921.10			
2011-40	5-16-11	905.02, 905.04, 905.05, 905.11	2016-56	11-7-16	921.10
2011-41	5-16-11	147.01			
2011-87	11-21-11	513.15			
2011-111	12-5-11	185.02			



## TABLES OF SPECIAL ORDINANCES

EDITOR'S NOTE: The Codified Ordinances of Geneva-on-the-Lake 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 H, 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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Table A	-	Franchises
Table B	-	Easements
Table C	-	Vacating Streets and Alleys
Table D	-	Dedication and Plat Approval
Table E	-	Acquisition and Disposal of Real Property
Table F	-	Lease of Real Property
Table G	-	Street Grade Levels and Change of Street Name
Table H	-	Annexation and Detachment of Territory.



TABLE A - FRANCHISES

<u>Ord. No.</u>	<u>Date</u>	<u>Description</u>
625	3-27-72	Grants a franchise to Tele-Media Corporation to operate a community antenna television system in the Village.
704	6-2-75	Amends Ord. 625 regarding cable television franchise with Tele-Media Corp.
746	1-16-78	Amends Ord. 625 regarding cable television franchise with Tele-Media Corp.
918	4-4-88	Consents to the assignment of the cable television franchise to TCI Cablevision of Ohio, Inc.
1116	10-18-99	Authorizes an agreement renewing and granting a non-exclusive franchise to Adelpia Cable Communications to operate and maintain a cable television system in the Village.



TABLE B - EASEMENTS

<u>Ord. No.</u>	<u>Date</u>	<u>Description</u>
1195	8-4-03	Maintains an underground utility easement and a golf course access easement on certain property known as "Development Property" or the "Austin Road Property", Parcel A.
1196	8-4-03	Maintains an underground utility easement and a golf course access easement on certain property known as "Development Property" or the "Austin Road Property", Parcel B.
1197	8-4-03	Maintains an underground utility easement and a golf course access easement on certain property known as "Development Property" or the "Austin Road Property", Parcel C.
2015-29	4-6-15	Maintains a utility easement on the Southside of SR 531 between Austin & Hawley.
2015-32	4-20-16	Maintains a utility easement south side juncture of Breen/Fairfax.





TABLE C - VACATING STREETS AND ALLEYS

<u>Ord. No.</u>	<u>Date</u>	<u>Description</u>
847	1-3-84	Approves the vacation of a portion of Overlook Drive where it bisects Sublots No. 97, 98, 99, 100, 101 and 102 of the Palmetto Beach Subdivision.
2015-11	4-6-15	Vacating alley at Lake and Lakegrove.
2015-54	6-26-15	Amends Ord. 2015-11.



TABLE D - DEDICATION AND PLAT APPROVAL

<u>Ord. No.</u>	<u>Date</u>	<u>Description</u>
318	9-16-46	Approves the plat of Casey Subdivision but not accepting the dedication of the streets therein.
320	10-10-46	Approves the plat of Alves and Fess Subdivision but not accepting the dedication of the streets therein.
340	11-17-47	Approves the Golf Ave. plat but not accepting the dedication of the street shown therein.
415	7-20-53	Accepts the offer to dedicate the full length of Geneva Drive in the Palmetto Beach Subdivision.
487	11-7-62	Accepts the dedication of Shadowbrook Drive and Fairview Drive from the owners of Shadowbrook Golf Allotment.
512A	12-7-64	Accepts the offered dedication of all of University Drive and Yale Drive from the south line of University Drive to the south line of Breen Drive.



TABLE E - ACQUISITION AND DISPOSAL OF REAL PROPERTY

<u>Ord. No.</u>	<u>Date</u>	<u>Description</u>
265	6-1-42	Authorizes the purchase of 26 lots from William J. Frye and Fred Taylor.
481	6-5-61	Accepts the deed from Helen G. Botti et al. conveying title to undedicated Thomas Blvd. and the undedicated portion of Breen Drive in the unrecorded Greenwood Park Subdivision.
504	5-4-64	Authorizes the purchase of real estate from Howard, Katherine and Myrtle Warner for \$26,000.
1195	8-4-03	Authorizes the sale of the "Austin Road Property", Parcel A.
1196	8-4-03	Authorizes the sale of the "Austin Road Property", Parcel B.
1197	8-4-03	Authorizes the sale of the "Austin Road Property", Parcel C.



TABLE F - LEASE OF REAL PROPERTY

<u>Ord. No.</u>	<u>Date</u>	<u>Description</u>
335	7-7-47	Authorizes the lease of land from the Geneva Park Land Co. for a garbage dump.
353	5-3-48	Authorizes the lease of land from the Geneva Park Land Co. for a garbage dump.
665	9-17-73	Authorizes a lease agreement with Steven and Catherine Hustak for the use of a portion of Broxton Rd.





TABLE G - STREET GRADE LEVELS AND CHANGE OF STREET NAME

<u>Ord. No.</u>	<u>Date</u>	<u>Description</u>
1005	1-4-93	Names East Mapleton Beach Drive, Center Mapleton Beach Drive, West Mapleton Beach Drive, part of Fairfax Drive, Yale Drive and Bartlett Drive for the purpose of providing 911 Emergency Response Service.



TABLE H - ANNEXATION AND DETACHMENT OF TERRITORY

<u>Ord. No.</u>	<u>Date</u>	<u>Description</u>
309	4-15-46	Consents to the detachment of the north portion of Lots 42, 43, 44 and 45 and all of Lots 50, 51, 52, and 53 of Section One, Geneva Township.
426	12-6-54	Accepts annexation application of William A. Loveland and others.
952	12-19-89	Annexation of lands conveyed to Anthony and Barbara Dubsy as described in Vol. 654, Page 228, Ashtabula County Record of Deeds.
2008-15	3-17-08	Accepts the annexation of 28 acres near Deer Lake Golf Course.
2009-69	11-16-09	Accepts the annexation of 16 acres owed by Indian Creek RV Resorts.

