

**CHAPTER 1125**  
**General Use Regulations**

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**1125.01 PROHIBITED USES.**

Any use not specifically listed as either a permitted principal or conditional use shall be a prohibited use in these zoning districts and shall only be permitted upon amendment of this Code and/or the Zoning Map as provided in Chapter 1119 or upon a finding by the Zoning Administrator that a use is substantially similar to a specified permitted or conditional use, as provided for in Section 1107.31, Similar Uses. (Ord. 2006-49. Passed 5-21-07.)

**1125.02 PERMITTED OBSTRUCTIONS WITHIN REQUIRED SETBACKS OR OTHER RELATED OPEN SPACE.**

The following are permitted obstructions within required setbacks or other required open space, subject to the height and lot coverage regulations of Title Three and to any other provisions of this Code applicable thereto, provided they are so located that natural light and ventilation are not materially obstructed from the principal building or any adjoining property.

- (a) Architectural Features. Architectural features that are attached to the principal building, such as sills, belt-courses, cornices, chimneys, extending not more than one (1) foot into a required setback;
- (b) Fixed and retractable awnings.
  - (1) Fixed and retractable awnings and canopies extending not more than two (2) feet into a required setback;
  - (2) Fixed and retractable awnings and canopies may extend over that portion of the sidewalk which is part of the public right of way in

the C-4, Central Business District only, provided no part of the awning or canopy projects into an alley or alley right-of-way or street or interferes with existing light poles (including attached banner supports) and existing trees and is a minimum of two (2) feet from the inside edge of the street curb or edge of street pavement where no curb exists. If a street is widened and the sidewalk in the public right-of-way is reduced in depth from the curb to the front property line of a lot, all fixed and retractable awnings and canopies, which are closer than two (2) feet from the inside edge of the new street curb or pavement edge shall be removed or be reduced in size to be in compliance with the minimum two (2) feet curb/pavement edge setback regulation.

- (c) Window air conditioners extending into the required setback;
- (d) Chimneys projecting no more than one (1) foot into a required setback;
- (e) Eaves, gutters or downspouts projecting no more than sixteen (16) inches into required setback;  
(Ord. 2006-49. Passed 5-21-07.)
- (f) Walls and fences as per the requirements of the applicable zoning district;  
(Ord. 2013-44(a). Passed 12-16-13)
- (g) Unenclosed steps, including fire escapes, may be allowed in the required front, rear or side setbacks, provided, however that steps and/or fire escapes shall be no closer than two (2) feet from the side lot line; and
- (h) Unroofed entrance features, such as a platform, landing, steps, terrace or other features such as an unroofed deck not extending above the first floor level of a building, may extend six (6) feet into the required front setback and three (3) feet into the required side setback. A roofed entry, porch, deck, steps, landing, patio, fire escape, terrace or similar roofed structure shall not be permitted to project into any required setback area.  
(Ord. 2006-49. Passed 5-21-07.)

### **1125.03 SUPPLEMENTARY HEIGHT REGULATIONS.**

Principal or accessory buildings shall be erected, altered, moved or maintained only in accordance with the maximum height of building regulations as established in Title Three, except that the following structures may be permitted above the aforesaid limitation:

- (a) Chimneys, church spires, cupolas, domes, towers, solar collector panels, flag poles, water tanks, radio or television antennae, monuments and other permitted mechanical appurtenances located upon or constructed as an integral part of the main building may exceed the above height regulations.
- (b) Governmentally-owned freestanding water tanks, towers, radio or television antennae and flag poles may also exceed the above height regulations. (Ord. 2006-49. Passed 5-21-07.)

**1125.04 TEMPORARY BUILDINGS AND ENCLOSURES AND OUTDOOR SALES ACTIVITIES.**

- (a) Structures for Construction Operations. Temporary structures for construction operations may be permitted in any district if such structures are deemed necessary, provided:
- (1) A temporary special permit is issued by the Zoning Administrator, for a period not to exceed eighteen months;
  - (2) The use of such structures shall be limited to offices; buildings for the storage of lumber, equipment and other building material;
  - (3) All temporary structures shall be located at least 100 feet from the nearest occupied residential dwelling, where feasible;
  - (4) A temporary structure for the construction office may be placed on the site no sooner than two weeks before the start of grading or construction;
  - (5) All temporary structures for construction operations shall be removed within thirty days after the completion of work on the premises for which a permit has been issued or if construction is not pursued diligently.
- (b) Subdivision and Apartment Sales and Rental Offices. Subdivision and apartment sales and rental offices may be permitted, providing a temporary special permit is issued by the Zoning Administrator. The temporary permit may be for a period not to exceed two years. In addition:
- (1) Such an office shall be incidental to and located within the subdivision which it serves;
  - (2) Such an office shall continue only until the sale or lease of all dwelling units in the development has been completed, but in no event shall the time exceed two years from the issuance of a special temporary permit.
- (c) Temporary Dwellings. A temporary special permit may be issued for a period not to exceed nine months for a temporary dwelling or manufactured home provided:
- (1) Such a use shall be allowed only on a lot where a single family detached dwelling is permitted by the provisions of this Code;
  - (2) Such a use shall be allowed only in a case where a single family dwelling has been destroyed or damaged by fire or other disaster to the extent which makes such dwelling uninhabitable and only when such dwelling is to be rebuilt or replaced;
  - (3) Occupancy of such a temporary dwelling shall be allowed only if appropriate sanitary facilities are provided as approved by the Health Department and such occupancy shall terminate immediately upon completion of the dwelling on the same lot; but in no event shall the time exceed the limit set forth previously;
  - (4) Additional conditions and requirements may be deemed necessary by the Zoning Administrator upon review of a particular application for a temporary dwelling, in which event he shall refer the request to the Board of Appeals for its action, and such

temporary permit shall be subject to all such conditions and requirements.

- (d) Temporary Outdoor Sales Activities. Temporary outdoor merchandising activities directed at the general public may be allowed as an accessory use in certain commercial zoning districts and on the premises of permitted and conditional uses subject to the requirements of this section. It is the intent of this section to provide for temporary outdoor sales which are distinguished from permanent outside business activities that are permitted or conditional uses in a zoning district.
- (1) Definition. Temporary outdoor sales activities include sidewalk sales, inventory reduction or liquidation sales, seasonal merchandise sales, itinerant vendors, and transient produce merchant sales. Seasonal merchandise sales include the sale of plants (also vegetables), flowers, shrubs, trees, mulch, fertilizer, weed killer products, soil, peat moss, lime, small decorative stones, landscape timbers, railroad ties, pumpkins, salt (for ice removal) and similar products, and Christmas trees.
- A. Temporary outdoor sales activities shall not include carnivals, festivals, promotional events or any City-sponsored function that may or may not include outdoor sales of food and/or merchandise related to such events.
- B. A transient produce merchant sale involves the selling of products of the farm or garden occupied and cultivated by that person on property other than that which the produce is grown.
- (2) Standards. The following shall apply to all proposed temporary outdoor sales activities allowed by this section in addition to other applicable building and safety code requirements as determined by the Building Standards Manager, Fire Department and/or City Engineer.
- A. Sidewalk sales, inventory reduction sales, liquidation sales, damaged goods sales, and transient produce merchant sales shall not exceed a maximum of 7 consecutive calendar days, per event. Two such outdoor sales activities per calendar year shall be permitted, per property and shall be allowed in a C-2, C-3, C-4 and C-5 District.
- B. Seasonal merchandise sales shall not exceed a total of 120 calendar days per year, per property. Only 4 seasonal sales activities per calendar year, per property, shall be permitted. Seasonal merchandise sales shall be permitted in a C-2, C-3, C-4 and C-5 District. Bagged seasonal merchandise, such as mulch, peat moss, soil, fertilizer, decorative stones, lime, sale and other similar goods as well as landscape timbers, railroad ties, bicycles, lawn mowers, tractors, wheel barrows, snow blowers, leaf blowers and other large lawn equipment items which are stored,

displayed and/or sold outdoors shall be located in existing fenced-in areas and/or on walkways immediately adjacent to the principal building.

- C. All sales activities, including any temporary structures, tents, and stands, shall not be located within a required setback or public right-of-way, must be in an area that is paved, shall not interfere with parking, sight distance, traffic circulation or emergency vehicle access on-site or upon a public street, alley, sidewalk or other public area within the City, and shall not reduce the required number of parking spaces required to serve principal use(s) on the site.
- D. Temporary sales on unpaved, landscaped areas is prohibited.
- E. Temporary outdoor sales activities within all temporary structures, tents, stands, under canopies or awnings and in all unroofed areas shall be limited to 10% of the enclosed gross floor area of the principal building on the lot associated with the temporary outdoor sales activity. Existing fenced-in outdoor storage areas and permanent accessory structures shall be excluded from the 10% calculation.
- F. Additional Standards for Itinerant Vendors. Itinerant Vendors are permitted in the Commercial Districts and the Manufacturing Districts provided these vendors comply with the regulations set forth below:
  - 1. No itinerant vendor shall block or impede the ingress or egress of the public into any business.
  - 2. No itinerant vendor shall unreasonably disturb the peace and quiet of the City and shall not shout, cry out, blow any horn, ring any bell, utilize any amplification system, or use any device to attract the attention of the public.
  - 3. No itinerant vendor shall park or stand within 200 feet of a school or school playground while the school is in session.
  - 4. No sales shall be made from 10:00 PM to 7:00 AM.
  - 5. Itinerant vendors shall obtain all other required permits, such as permits required from the Wayne County Health Department or any other permits required by the City of Wooster.
  - 6. All itinerant vendors shall provide at least one (1) trash receptacle upon the site of business for customer use. The site of business shall be cleared of all debris, trash, litter, and trash containers at the conclusion of each day's business activities.

7. An itinerant vendor shall not be located on any property within the corporation limits of the City of Wooster for more than seven (7) consecutive days or more than thirty (30) total days in a single calendar year.
- (3) C-4, Central Business District. All temporary sales activities in the C-4, Central Business District may be permitted on sidewalks located in the public right of way if approved by the Mayor or the Mayor's designee.
  - (4) General Requirements.
    - A. The temporary outdoor sales activity shall be clearly accessory to the permitted or conditional use(s) approved for the site. Only merchandise which is normally sold, or stocked by the occupant(s) on the subject premises shall be sold, provided that seasonal merchandise, licensed transient produce merchant activities and itinerant vendors as defined by this Chapter or Chapter 1103 may be allowed.
    - B. With the exception of itinerant vendors, tents, stands and other similar temporary structures may be utilized, provided that they will not impair the parking capacity, emergency access or the safe and efficient movement of pedestrian and vehicular traffic on or off the site.
    - C. The required number of off-street parking spaces for the principal use(s) shall be provided for the duration of the sale. Determination of compliance with this requirement shall be made by the Zoning Administrator.
    - D. Signage related to the sale shall be in compliance with the temporary sign regulations in Chapter 1171, Sign Regulations. The erection and removal of such signage shall be the responsibility of the applicant and/or owner of the property. (Ord. 2006-49. Passed 5-21-07.)

#### **1125.05 FAMILY DAY CARE HOME.**

This Zoning Ordinance recognizes that the availability of safe and affordable, good-quality child day care is important to the well being of parents and children. Furthermore, it is the purpose of this section to regulate the operation of child day care in a manner that preserves the residential character of neighborhoods. According to ORC 5104.054, any type B family day-care home, whether certified or not certified by the county director of human services, shall be considered to be a residential use of property for purposes of municipal, county, and City zoning and shall be a permitted use in all zoning districts in which residential uses are permitted. A type "B" family day-care home is a permanent residence of the provider where childcare is provided for 1 to 6 children and where no more than three children are under two years of age. For the purposes of this definition, any children under six years of age who are related to the provider and who are on the premises of the day-care home shall be counted. Type "B" family day-

care homes are a permitted accessory use in residential districts, and do not require a zoning certificate or a certificate of zoning compliance.  
(Ord. 2006-49. Passed 5-21-07.)

### **1125.06 HOME OCCUPATIONS.**

The purpose of this section is to set forth regulations, which control the establishment and operation of home occupations. The intent of these regulations is to control the nonresidential use of a residential dwelling unit so that the nonresidential use is limited to an accessory use, and shall not in any way adversely affect the uses permitted in the residential district of which they are a part. Compliance with these regulations should result in all home occupations being located and conducted in such a manner that their existence is not detectable in any manner from the outside of the dwelling unit.

- (a) Gainful home occupations shall be permitted in residential districts provided:
  - (1) Only members of the family residing within the dwelling shall be engaged in such occupation at that location and not more than one part-time non- family member (limited to twenty hours in any week) or occasional clerical or bookkeeping assistant who may perform services incidental to such occupation;
  - (2) The occupation is conducted wholly within the principal building and the space used for production and sale does not occupy more than twenty-five percent of the net floor area of the dwelling unit;
  - (3) No retail or wholesale goods except that which are produced or processed on the premises shall be exchanged on the property;
  - (4) No equipment shall be used which will create any dust, noise, odors, glare, vibrations or electrical disturbances beyond the lot;
  - (5) The home occupation shall be confined to the principal building on the lot or premises, and no structure shall be constructed, reconstructed or altered to permit extension of the home occupation outside of the principal building;
  - (6) All storage of materials, goods, supplies or equipment related to the operation of a home occupation shall be inside the structure;
  - (7) The residential character of the dwelling exterior shall not be changed, except that a small, non-illuminated sign of maximum size of two (2) square feet may be permitted;
  - (8) Traffic shall not be generated by such home occupation in significantly greater volume than would normally be expected in the residential neighborhood; and
  - (9) Any need for parking generated by the conduct of such home occupation shall be met on or adjacent to the driveway, but shall not be permitted in a required front setback, or in the public right-of-way.
- (b) A home occupation shall be permitted only after a zoning certificate has been issued by the Zoning Administrator. Those uses which are questionable shall be reviewed by the Board of Building and Zoning

Appeals to assure that they are in character with this section and will not constitute an objectionable use of the residentially zoned property due to potential noise, increased pedestrian and vehicular traffic, or any other conditions that might interfere with the general welfare of the surrounding residential area.

- (c) When any home occupation results in an undesirable condition interfering with the general welfare of the surrounding residential area, such home occupation may be terminated by the Zoning Administrator. Such termination may be appealed to the Board of Building and Zoning Appeals. An undesirable condition may be identified as abnormal traffic, objectionable noise or any other condition not conducive to a residential neighborhood situation.  
(Ord. 2006-49. Passed 5-21-07: Ord. 2009-27. Passed 10-19-09.)

### **1125.07 SWIMMING POOLS.**

In addition to the requirements for accessory buildings and uses in Title Three, the following provisions shall apply for swimming pools:

- (a) Private Outdoor Swimming Pools. A private swimming pool is any pool, lake or open tank, primarily used for swimming or wading, not located within a completely enclosed building and containing or normally capable of containing water to a depth at any point greater than one (1) foot. No such swimming pools, exclusive of portable swimming pools with a diameter less than twelve (12) feet or with an area of less than 100 square feet, shall be allowed in any commercial or residential district except as permitted in this Code and unless it complies with the following additional requirements:
- (1) The pool is intended and is to be used solely by the occupants and guests of the principal use of the property on which it is located;
  - (2) It may not be located, including any walks or paved areas or accessory structures adjacent thereto, closer than ten (10) feet to any property line of the property on which located;
  - (3) The pool, or the entire property on which it is located, shall be so walled or fenced so as to prevent uncontrolled access from the street or from adjacent properties. Such fences or wall shall be at least six (6) feet in height and maintained in good condition, with a gate and lock.
  - (4) Proper drainage shall be provided to ensure that pool overflow does not affect adjacent properties.
  - (5) The construction and operation of a pool shall meet all other applicable City regulations.
  - (6) The Planning Commission shall have the power to make exceptions to and modifications of the above requirement for fences surrounding swimming pools, in cases in which, in the Commission's opinion, such requirements are not essential to safety because the applicant will provide an alternative means of

secure access to the swimming pool from the street or from adjacent properties.

- (b) **Public, Community or Club Swimming Pool.** A public, community or club swimming pool is any pool constructed by the City, an association of property owners, or by a private club for use by the general public or by members of the association or club and their families. Public, community and club swimming pools are permitted in all districts, but shall comply with the following conditions and requirements:
- (1) The pool is intended solely for the use of the general public or the members and families and guests of members of the association of club under whose ownership or jurisdiction the pool is operated;
  - (2) The pool and accessory structures thereto, including the unenclosed areas used by the bathers, shall not be closer than 100 feet to any property line of the property on which it is located;
  - (3) The pool and all of the area used by the bathers shall be so walled or fenced as to prevent uncontrolled access by children from the street or from adjacent properties. Such fence or wall shall be six (6) feet in height and maintained in good condition, with a gate and lock.
  - (4) Proper drainage shall be provided to ensure that pool overflow does not affect adjacent properties.
  - (5) The construction and operation of a pool shall meet all other applicable City regulations. (Ord. 2006-49. Passed 5-21-07.)

**1125.08 PARKING AND USAGE OF RECREATIONAL VEHICLES AND MOTOR VEHICLES.**

- (a) Recreational Vehicles. Recreational vehicles may be parked subject to the following conditions provided that no living quarters shall be maintained therein, no business shall be conducted therein and that no permanent connection shall be made to any utilities while such trailer is stored or parked.
- (1) In residential zoning districts, recreational vehicles may be parked or stored outside an enclosed -building provided that no such vehicle shall overhang in the public right-of-way, be parked or stored on a public street or alley right-of-way, be located in the required front setback, or be located in a required side setback abutting a public right-of-way. A driveway or parking space may not be constructed in the required front setback or side setback abutting a public right-of-way for the sole purpose of parking or storing of such vehicles.
  - (2) Recreational vehicles may be parked on the premises for less than seventy-two (72) hours for accommodation of guests provided that the vehicle is not parked on the public street or alley right-of-way.
  - (3) Recreational vehicles shall only be parked in nonresidential zoning districts subject to use regulations and outdoor display and storage regulations of the applicable zoning district.

- (4) If the recreational vehicle is parked or stored outside, it shall be parked on an impervious surface, such as asphalt or concrete.
  - (5) All recreational vehicles shall be kept in good repair and carry a current year's license or registration.
- (b) Motor Vehicles.
- (1) In a residential zoning district or within any public right-of-way, the repainting, rebuilding, overhauling or dismantling of a vehicle or the storage of tires, motor, body or other parts in an open yard is prohibited.
  - (2) In residential zoning districts and any public right-of-way, the parking or the outdoor storage of commercial motor vehicles, semi-trailers and/or buses is prohibited.
  - (3) In all nonresidential zoning districts, the parking or the outdoor storage of commercial motor vehicles shall be subject to use regulations and outdoor display and storage regulations of the applicable zoning district.  
(Ord. 2013-44(a). Passed 12-16-13.)

#### **1125.09 LOT REGULATIONS.**

- (a) Required Setbacks to be Maintained. The required setbacks surrounding an existing building shall not be separated in ownership from that portion of the lot upon which the building is located, and no part shall be considered as providing a required setback for any other existing building on the same or on an adjacent lot. A setback shall not be reduced in any manner to less than the required dimensions for the district in which it is located, and a setback of less than the required dimensions shall not be further reduced in any manner unless otherwise noted in this Code. Every required setback shall be open and unobstructed from the ground, except for accessory structures as set forth in Title Three and the regulations in Section 1125.02, Permitted Obstructions within Required Setbacks, and as per the parking setbacks in Title Three.
- (b) When one or more buildings, or parts thereof, are constructed or enlarged so as to cross one or more lot lines in the same ownership, all such lots shall be replatted into one lot provided all other zoning and subdivision regulations are met.
- (c) Required Lot Area to be Maintained. A parcel of land may be subdivided into two or more parcels, provided all lots resulting from such division shall conform to all the lot area and width regulations of the district in which it is located. A lot of record which conformed to the provisions of this Code or any amendments thereto which affected its conformity shall not be reduced in any manner which would make it nonconforming.
- (d) One Dwelling on Lot. No single family detached dwelling or two-family dwelling shall be constructed on a lot upon which a principal building already exists except in accordance with Chapter 1134, Cluster Development Regulations and Chapter 1145, Planned Development Overlay District. New multi-family, apartments and townhouses,

complexes may be erected with more than one principal building to the lot or parcel. Commercial, industrial or institutional buildings may be erected with more than one principal building on a lot or parcel providing they are all under the same ownership.

- (e) Required Street Frontage. Every principal building shall be located on a lot having a minimum frontage of twenty-five (25) feet on a public or private street.
- (f) Non-single Family Uses with Frontage on More Than One Street. Lots having frontage on more than one street shall provide the required front setback along each street. On a corner lot, front setbacks shall be required on both street frontages, and one yard other than the front yards shall be deemed to be a rear yard and the other or others, side yards. For new construction, the decision as to which is rear versus side yard is that of the owner. For buildings constructed prior to 1980, the side and rear yards shall be determined by which street frontage the existing principal building faces on the lot. (Ord. 2006-49. Passed 5-21-07.)

#### **1125.10 RESERVED.**

#### **1125.11 PROXIMITY OF BUILDINGS TO EXISTING GAS AND/OR OIL WELLS. (REPEALED)**

(EDITOR'S NOTE: Former Section 1125.13 was repealed by Ordinance 2012-24, passed August 20, 2012.)

#### **1125.12 REQUIREMENTS FOR OWNERS ASSOCIATIONS.**

As part of a cluster residential development, planned development or other development where a homeowners association, community association, condominium association or similar legal entity/agency shall be created to be responsible for the maintenance and control of common areas, including the required open space, open space easements, private streets, facilities, common drives, etc. The City's Law Director shall determine that, based on documents submitted with the development plan, the association's or agency's bylaws or code of regulations specify the following requirements:

- (a) Membership in the Association shall be mandatory for all purchasers and/or owners of lots in the development or units in a condominium.
- (b) The Association shall be responsible for maintenance, control, and insurance of open space and all common areas, including any applicable easements.
- (c) The Association shall have the power to impose assessments on members for the maintenance, control and insurance of open space and common areas, and have the power to place liens against individual properties for failure to pay assessments.
- (d) The conditions and timing of transfer of control from the developer to the unit or lot owners shall be specified;
- (e) The Association shall not authorize its dissolution or the sale, transfer or other disposal of any common area, including restricted open space,

without (i) an affirmative vote of seventy-five (75) percent of its members, (ii) having established a successor entity to take over said property pursuant to the City's Planning and Zoning Code; and (iii) the approval of the City Council.

- (f) The Association shall convey to the City and other appropriate governmental bodies, after proper notice, the right to enter to any common area for emergency purposes or in the event of nonperformance of maintenance or improvements affecting the public health, safety and welfare. Such governments shall have the right, after proper notice, to make improvements and perform maintenance functions. In addition, the City shall have the right to proceed against the Association for reimbursements of said costs, including the right to file liens against individual condominium units, houses, and vacant building lots. (Ord. 2006-49. Passed 5-21-07.)

### **1125.13 GENERAL DISTRICT REGULATIONS.**

Establishing a Permitted or Conditional Use. Although a use may be indicated as a permitted principal, conditional use or accessory use in a particular zoning district, it shall not be approved on a parcel unless it can be located thereon in full compliance with all of the standards and other regulations of this Planning and Zoning Code to the specific use and parcel in question. (Ord. 2006-49. Passed 5-21-07.)

### **1125.14 PERFORMANCE STANDARDS.**

No land or structure in any zoning district shall be used or occupied in any manner to create a dangerous or objectionable condition, substance or element, in such a manner or in such amount to adversely affect the adjoining premises or surrounding area. All uses, except those in Manufacturing Districts which must comply with the performance standards in Section 1143.09, shall comply with the following performance standards:

- (a) Americans with Disabilities Act. All uses shall comply with all applicable requirements of the Americans with Disabilities Act, and all other applicable federal, state, and county regulations.
- (b) Lighting and Glare. All exterior lighting and conditions that generate glare shall comply with the requirements of Chapter 1167, Lighting Regulations.
- (c) Heat. No use shall generate heat that is perceptible without the aid of instruments at any point beyond the lot occupied by the use.
- (d) Vibration. Vibrations, which are perceptible without the aid of instruments, shall not be permitted beyond the lot occupied by the use generating such vibration.
- (e) Odors. No use shall emit malodorous gas or matter that is discernible on any adjoining lot or property.
- (f) Air Pollution.
- (1) The emission of smoke, soot, fly ash, fumes and dust shall be controlled by precipitation devices, height of stack, rate of emission or other manner so that the quantity deposited in any

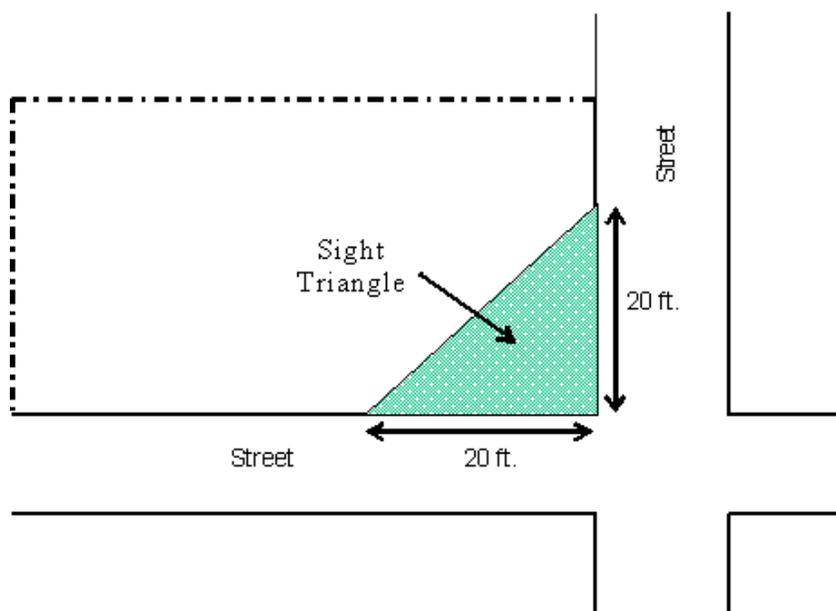
District shall not be detrimental to or endanger the public safety, comfort, welfare or adversely affect property values. In addition, no use shall emit fly ash, dust, vapors or other substances that are harmful to health, animals, vegetation or other property or which can cause excessive soiling.

- (2) Dust and other types of air pollution borne by the wind from sources such as parking areas, storage areas or yards shall be kept to a minimum by appropriate landscaping, paving, oiling or other acceptable treatment.
- (g) Fire Hazards. Flammable or explosive materials shall only be permitted in structures having incombustible exterior walls.
- (h) Storage Handling. Storage handling and use of flammable liquids shall comply with regulations as set forth in Bulletin No. 30-L of the National Fire Protective Association. Storage of other materials in yards or structures shall comply with other fire protective codes of the City of Wooster and all parts shall be accessible to firefighting equipment.
- (i) Solid Waste. Solid waste, including empty packing crates and other excess materials, shall not be allowed to accumulate on a lot and shall be disposed of on a regular basis or enclosed within a wall or fence.
- (j) Liquid Waste. If liquid wastes are disposed of in containers, they shall be appropriate containers, and the wastes shall be removed from the site on a regular basis. Liquid waste or sewerage shall not be discharged into a reservoir, stream, or other open body of water or into a storm or sanitary sewer except as allowed by other codes of the City of Wooster, County, State or similar jurisdictional authority.
- (k) Noxious, Toxic or Corrosive Fumes. Noxious, toxic or corrosive fumes or gasses shall not be emitted which shall be injurious to the property, vegetation or health of the people residing in any adjacent residential district.
- (l) Radioactive or Electrical Disturbances. Radioactive emissions or electrical discharges shall be confined to the use and lot from which they originate and shall not occur across any lot line.
- (m) Infectious and Medical Waste Materials. The storage, incineration or disposal of infectious or medical waste materials in such a manner or in such quantities as to produce a public nuisance or a hazard to the public health and welfare of the community shall not be permitted. (Ord. 2006-49. Passed 5-21-07.)

#### **1125.15 VISIBILITY AT INTERSECTIONS.**

Sight Triangles at the Intersection of Two Streets. In any District, except the C-4 Central Business District, on any corner lot, no fence, structure or planting shall be erected or maintained between 2.5 feet and eight (8) feet, above the rights-of-way lines, within a clear sight triangle formed by the right-of-way lines of two intersecting streets, and a line drawn between two points, each measuring twenty (20) feet from the intersection of the right-of-way lines. See Figure 1 below.  
(Ord. 2006-49. Passed 5-21-07.)

**Figure 1**  
Visibility at Intersection of Public Streets



**1125.16 GARAGE OR YARD SALES.**

Garage or yard sales may be permitted on any property with a permitted residential use in accordance with the following:

- (a) A garage or yard sale shall be limited to not more than three (3) consecutive days and shall only be conducted during daylight hours. No more than one (1) garage or yard sale may be conducted on any parcel of real estate in any three (3) month period.
- (b) These provisions shall not apply to a sale of property publicized solely by advertising, which describes or identifies the specific property offered for sale and does not designate the date, hours, or location of the sale other than by stating name, address or telephone number of the seller. In addition, the sale of personal property pursuant to an order or process of a court of competent jurisdiction shall not be construed as a garage or yard sale.
- (c) Signs for garage or yard sales shall be subject to the standards found in Section 1171.06 of this Zoning Code.  
(Ord. 2013-17(B). Passed 6-3-13.)