

ORDINANCE NO. 9 -79

BY:

Derrick M. Mann

To regulate the location and installation of exterior air conditioning equipment and to declare an emergency.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BEXLEY, STATE OF OHIO:

Section 1. A permit shall be required for every installation or alteration of an air conditioning or refrigerating system other than self-contained window air conditioning units.

Section 2. No permit shall be issued for a system which includes an exterior compressor, cooling tower, condensing unit, chiller unit or absorber either singular or any combination of above or as a part of any refrigerating or cooling system and expelling heat or noise where the location is in a R-3 or R-6 residential zoning district unless such exterior unit is located in the rear of the dwelling and exhausts to the rear or in a vertical direction and not to either side, provided however, that:

1. Such exterior unit may be located at the side of any building where there is a minimum of forty (40) feet between it and the adjoining building, but must exhaust to the rear or in a vertical direction when unit is so designed and shall be mounted on a suitable and firm foundation. or
2. An exterior air conditioning unit may be located at the side of any building where there is less than a minimum of forty (40) feet between it and the adjoining building provided that an application has been filed and all residents within 200 feet have been notified by mail by the City. Such notice shall advise each person that if there is no objection within 7 days a permit will be issued, and that if there is an objection, there will be a hearing at the next meeting of the Board of Zoning Appeals at which time the objector should be present to discuss the objection. At such hearing the Board may take whatever action it deems advisable.
3. An exterior air conditioning unit may be located at the front of any building provided that an application for variance has been filed and approval granted by the Board of Zoning Appeals. Said variance request shall follow all established rules and procedures of the Board. The filing fee shall be the same as established for secondary structures.

Section 3. After a permit is issued, the permit or a copy thereof, shall be posted at all times during the course of such work at the site of the work.

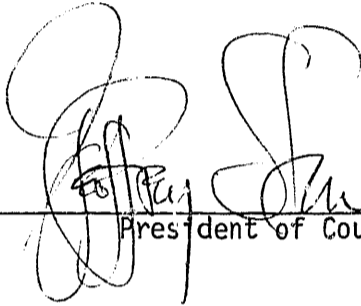
Section 4. The fee for the permit for each installation or alteration shall be \$10.00.

Section 5. Any person who violates any of the provisions of this ordinance shall, upon conviction, be fined not less than Ten (\$10.00) Dollars nor more than Fifty (\$50.00) Dollars and each day that such air conditioning equipment is maintained in violation of this ordinance shall be deemed to be a separate and distinct offense.

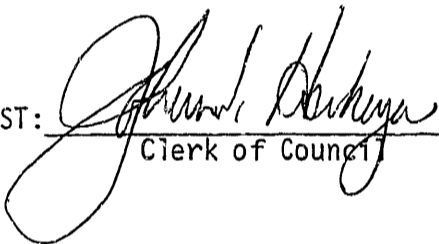
Section 6. Ordinance No. 14-66 is hereby repealed.

Section 7. This ordinance is hereby declared to be an emergency measure because control of installation as provided herein is necessary for the preservation of the public peace, health, welfare and safety, and shall take effect and be in force from and after its passage and approval by the Mayor.

PASSED: April 10, 1979

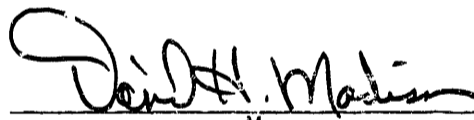


President of Council

ATTEST: 

Clerk of Council

APPROVED 4/10, 1979



Mayor