ZONING
ORDINANCE
No. 2812
and
AMENDING ORDINANCE
No. 5421
VILLAGE of EUCLID

C. R. ELY,  ROBERT TOPPING,
Mayor     Clerk
ORDINANCE NUMBER 2812
By Councilman Canton

1. An Ordinance Establishing a Zone Plan, regulating the location of industries, trades, apartment houses, two family houses, single family houses and other uses of property, the area and the dimensions of lots and yards, the bulk and alignment of buildings near street frontages.

Whereas, the Village of Euclid, Ohio, is a residential suburb of the City of Cleveland, having two steam railroads within its corporate limits and a number of industrial plants therein, and,

Whereas, The Territory Within Said Village of Euclid, Ohio, is available for manufacturing, industry, commercial, and residential purposes; and

Whereas, A Considerable Part of the Property Therein has been restricted for private residence purposes by the owners thereof, and much of the restricted property has been further limited to single residences; and

Whereas, The Street, Sewer and Water Systems of the said Village have been designed and constructed to take care of such restricted use and would prove inadequate for more congested use; and

Whereas, The Territory Hereinafter Made Available for manufacturing, industrial and commercial uses is deemed and hereby found to be sufficient for such purposes; and

Whereas, It is the Desire of the Citizens of Said Village, and the Council thereof, to preserve the present character of said Village and the public improvements therein, to prevent congestion, and to promote and provide for the health, welfare, safety, convenience, comfort, prosperity, and general welfare of the citizens thereof, for which reason the subject matter hereof constitutes an emergency as hereinafter specifically provided;

Now, Therefore, Be it Ordained by the Council of the Village of Euclid, Ohio.

Section 1. District and Zone Map. For the purpose of regulating and restricting the location of trades, industries, apartment houses, two family houses, single family houses, and other uses of property, the number of square feet of lot area per family housed, the width of lots, the location and size of yards and the size and height of buildings, the Village of Euclid, Ohio, is hereby divided into six classes of use districts termed respectively class U1 or single family house districts, class U2 or two family house districts, class U3 or apartment house districts, class U4 or local retail and wholesale store districts, class U5 or commercial districts, and class U6 or industrial and manufacturing districts; also into three classes of height districts termed respectively class H1, H2 and H3; and into four classes of area districts termed respectively Class A1, A2, A3, and A4; all as shown on the zone map which accompanies this Ordinance and is hereby declared to be part hereof. The use, height and area districts designated on said zone map are hereby established. The map and the map designation rules which accompany said map are hereby declared to be part hereof and hereof.

No buildings or premises shall be erected or used except in conformity with the regulations herein prescribed for the use, height and area district in which such building or premises are located.

Section 2. Definition. Certain words in this Ordinance are defined for the purposes hereof as follows: Where the context so indicates as well as where the meaning so requires.

(a) Words used in the present tense include the future;

(b) The singular number includes the plural and the plural the singular number;

(c) The word "Lot" includes the word "plot" and word "building" includes the word "structure";

(d) The "street line" is the dividing line between the street and the lot;

(e) The "established grade" is the elevation of the street curb as fixed by Village Ordinance;

(f) The "natural grade" is the elevation of the undisturbed natural surface of the ground adjoining the building;

(g) The "height of a building" is the vertical distance, measured at the center line of its principal front, from the established grade or from the natural grade, if higher than the established grade, to the level of the highest point in the coping of flat roofs or to the deck line of a mansard roof or to the mean height of the highest gable of a pitched roof or to half the height of a hipped roof.

(h) Any roof beam or there are structures wholly or partly above the roof, the height shall be measured to the level of the highest point of the building;

(i) A "rear yard" is an open unoccupied space, on the same lot with a building, between the rear line of the building and the rear line of the lot;

(j) A "front yard" is an open unoccupied space on the same lot with a building, between the front line of the building and the front line of the lot;

(k) A "side yard" is an open unoccupied space, on the same lot with a building, situated between the building and the side line of the lot and extending through the lot for the greater distance of the front yard or to the rear line of the lot. Any lot line not a rear line or a front line shall be deemed a side line;

(l) The "least dimension" of a yard is the least of the horizontal dimensions of such yard. If two opposite sides of a yard are not parallel, the horizontal dimensions between them shall be deemed to be the mean distance between them;

(m) A "lot" is a parcel of land occupied by one building and the accessory buildings or uses customarily incident to it including such open spaces as are required by this ordinance and such open spaces as are arranged and designed to be used in connection with such building;

(n) A "family" is any number of individuals living and cooking together on the premises as a single housekeeping unit;

(o) A "dwelling" is a building arranged, intended or designed to be occupied by not more than two families living independently of each other and doing their own cooking upon the premises;

(p) An "apartment house" is a building arranged or designed to be occupied by three or more families living independently of each other and doing their own cooking upon the premises or by three or more individuals or groups of individuals living independently but having a common heating system and general dining room.
(n) An "apartment" is a room or suite of rooms in an apartment house, which room or suite is arranged, intended or designed to be occupied as the residence of a single family, individual or group of individuals.

(1) A "single family dwelling" is a dwelling either detached or semi-detached, intended or designed to be occupied by a single family.

(2) A "single family dwelling" shall consist of a basement containing not less than four hundred (400) square feet and not less than three rooms and a bathroom.

(p-1) A "two-family dwelling" is a detached or semi-detached, intended or designed house, one of which has its principal living rooms on the first floor and the other of which has its principal living rooms on the second floor.

(p-2) A "two-family dwelling" shall have a basement containing not less than seven hundred (700) square feet and not less than four living rooms and a bathroom, for each family.

(q) A "duple house" is two single-family dwellings with a five-story party wall between, and each of which conforms to requirements, for a single family dwelling.

(r) A "non-conforming use" is one that does not comply with the regulations of the use district in which it is situated.

(s) "Public notice" of a hearing or proceeding means thirty days notice of the time and place thereof printed in a newspaper of general circulation in the municipality.

(t) An "accessory" use or building is a use or building customarily incident to and located on the same lot with another use or building.

Section 3. Classification of Uses. For the purpose of this ordinance, the various uses of buildings and premises are divided into groups, classes and sub-classes as set forth in the following classification of uses:

Class U1 Uses. (Single family house)

(14) Single family dwelling.

(15) Public park. Water tower or reservoir.

(16) Suburban or interurban electric railway passenger station and right of way not including railway yards.

(17) Farming, non-commercial greenhouse, nursery, truck-gardening.

Class U2 Uses. (Two-family dwelling)

(18) Apartment house.

(19) Hotel, Church, School, Public Library, Public Museum.

(20) Community Center Building, Private Club, excepting a club, the chief activity of which is a service customarily carried on as a business.

(21) Philanthropic or eleemosynary use or institution other than a penal or correctional institution. Hospital or sanitarium other than for the insane or feeble-minded.

(22) Public Playground. Public recreation building, City Hall or Court House.

Class U3 Uses. (Local retail or wholesale district)

(23) Bank, Office, Studio, Telephone Exchange, Fire Station.

(24) A Restaurant, Theatre, Moving Picture Show, Police Station.

(25) Retail store or shop for custom work or the making of articles to be sold only at retail on the premises.

(26) Sales office, sample room, wholesale store for hardware, dry-goods or groceries.

(27) Gasoline or oil station not exceeding 1000 gallons storage, ice delivery station.

(28) Bowling or dance hall.

(29) Electric sub-station.

(30) Job printing, newspaper printing.

(31) Public garage for storage of motor vehicles.

(32) Stable or wagon shed for not more than five horses, wagons or motor trucks. Distributing station for central store or commercial enterprise.

Class U5 Uses. (Commercial)

(33) Billboard or advertising sign. (If permitted.)

(34) Warehouse for or storage in bulk in the open, of building material, contractor's equipment, lumber, ice, coal, wood or household goods.

(35) Ice cream manufacture, ice cream manufacture, bottling works, milk bottling or central distribution station, cold storage plant.

(36) Laundry, carpet cleaning, dry cleaning, dyeing.

(37) Blacksmith, horse shoeing, wagon shop, repair shop for motor vehicles.

(38) Freight station, street car barns, stable or wagon shed for more than five horses, wagons or motor trucks.

(39) Wholesale produce market. Wholesale produce sale-room.

Class U6 Uses. (Industrial)

(40) Sewage disposal plant.

(41) Gas producing plant.

(42) Incineration of garbage or refuse.

(43) Scrap iron or junk storage. Scrap paper or rag storage.

(44) Aviation field, cemetery, crematory.

(45) Stable or correctional institution. Institution for the insane or feeble-minded.

(46) Storage of oil or gasoline not to exceed 25000 gallons.

(47) Manufacture or industrial operation of any kind other than a class U1, U2, U3, U4, or U5 uses.

(48) Any public utility not included in a Class U1, U2, U3, U4, or U5 uses.

Class U7 Uses. (Prohibited)

(49) Veterinary hospital.

(50) Reduction of garbage, refuse, offal, or dead animals.

(51) Explosives and fireworks, manufacture or storage.

(52) Cement, lime, gypsum or plaster of Paris manufacture.

(53) Chlorine, or hydrochloric, nitric or picric acid manufacture.

(54) Smelting of iron, copper, tin or zinc ores.

(55) Distillation of bones, fat rendering, glue manufacture from raw materials, fertilizer manufacture.

(56) Stock yards, slaughtering of animals.

(57) Tanneries, oil refineries.

(58) Storage of volatile oil or gasoline in excess of 25000 gallons.
If there may arise any misunderstanding in reference to the interpretation of any of the uses, such misunderstanding will be termed a special case and such special cases that may arise are left to the discretion of The Board of Zoning Appeals established under this Ordinance.

Section 4. Single Family House District.
In a Class U1 district, no building or premises shall be used and no building shall be erected which is arranged, intended or designed to be used except for a class U1 or U2 use.

Section 5. Two Family House District.
In a class U2 district, no building or premises shall be used which is arranged, intended or designed to be used, except for a class U1 or U2 use.

Section 6. Apartment House District.
In a class U3 district, no building or premises shall be used and no building shall be erected which is arranged, intended or designed to be used except for a class U1, U2 or U3 use.

Section 7. Accessory Uses in Residence Districts. An accessory use customarily incidental to a class U1, U2 or U3 use shall also be permitted in any case, a class U1, U2 or U3 district provided such accessory use is located upon the same lot with the building or use to which it is accessory. In a U1 or U2 district a private garage permitted as an accessory use shall not provide storage for more than one motor vehicle for each 2,000 square feet of the lot area. In a class U3 district a private garage permitted as an accessory use shall not provide storage for more than one motor vehicle for each 250 square feet of the lot area. A billboard, signboard or advertising sign shall in no case be permitted as an accessory use. The placing of a "for sale" or "for rent" sign shall, however, be permitted as an accessory use. In a class U1 or U2 district a private driveway or walk used for access to a class U3, U4, U5 or U6 use shall in no case be permitted as an accessory use. A store, trade or business shall not be permitted as an accessory use except that the office of a physician, surgeon, dentist or musician, may be located in the building or apartment used by such physician, surgeon, dentist or musician as his private residence, and except that any person carrying on a customary home occupation, may do so in a dwelling or apartment used by him as his private residence, provided no persons other than members of his own household are employed in such occupation and no window display or sign board is used to advertise such occupation.

In a dwelling or apartment occupied as a private residence, one or more rooms may be rented or table board furnished provided no window display or sign board is used to advertise such use. In a U3 district, a restaurant or public dining room may be located in a hotel or apartment house as an accessory use.

Section 8. Local Retail or Wholesale District.
(a) In a class U4 district no building or premises shall be used and no building shall be erected which is arranged, intended or designed to be used, except for a class U1, U2, U3 or U4 use.

(b) An accessory use, customarily incidental to a class U4 use, shall also be permitted in a class U4 district, provided such accessory use is located upon the same lot with the building or use to which it is accessory.

Section 9. Commercial.
(a) In a class U5 district no building or premises shall be used and no building shall be erected which is arranged, intended or designed to be used, except for a class U1, U2, U3, U4 and U5 use.

(b) An accessory use, customarily incident to a class U5 use, shall also be permitted in a class U5 district, provided such accessory use is located upon the same lot with the building or use to which it is accessory.

Section 10. Industrial and Manufacturing.
In a class U6 district no building or premises shall be used, and no building shall be erected which is arranged, intended or designed to be used, except for a class U1, U2, U3, U4, U5 or U6 use.

(b) An accessory use, customarily incidental to a class U6 use, shall also be permitted in a class U6 district, provided such accessory use is located upon the same lot with the building or use to which it is accessory.

Section 11. Use District Exceptions. The City Planning and Zoning Commission may in the event of property being allotted which was undeveloped at the time this Ordinance was passed, and in other specific cases, after public hearing and subject to such conditions and safeguards as the commission may establish and determine and interpret the application of the use district regulations herein established, which permission shall be confirmed by resolution of the City Council before becoming effective, do the following:

(a) Permit the extension of a building or use into a more restricted district immediately adjacent thereto but not more than 50 feet beyond the boundary line of the district in which such building or use is located.

(b) Permit the extension of a non-conforming use or building existing upon the lot occupied by such use or building at the time of the passage of this Ordinance.

(c) Permit in a use district any use authorized by the Commission in general keeping with the uses authorized in such district.

(d) Grant, in undeveloped sections of the Village, temporary and conditional permits, for not more than two years, periods, but not renewable for structures and uses that do not conform to the regulations herein prescribed for the respective use district in which they are to be located.

(e) Permit the location in any use district of any use, provided such use in such location will not, in the judgment of the commission, substantially and permanently injure the appropriate use of neighboring property, provided the petitioning applicant for such permission files the consent, duly acknowledged, of the owner of 80 per cent of the area of the land deemed by the commission to be immediately affected by the proposed use.

Section 12. Non-Conforming Uses. A non-conforming use existing at the time of the passage of this Ordinance may be continued. A non-conforming use shall not be extended except as authorized by the preceding section but...
the extension of a use to any portion of a building, which
portion was arranged or designed for such non-conforming
use at the time of the passage of this Ordinance, shall not
be deemed the extension of a non-conforming use. A build-
ing arranged, designed or devoted to a non-conforming use
at the time of the passage of this Ordinance, may not be
reconstructed or structurally altered to an extent exceeding
in aggregate cost, during any ten year period, 10 per cent
of the assessed value of the building unless the use of said
building is changed to a conforming use. A non-conform-
ing use may not be changed unless changed to a more re-
stricted use. A non-conforming use if changed to a con-
forming use may not thereafter be changed back to any
non-conforming use. A non-conforming use in the area of the lot, if a corner lot,
in a more restricted non-conforming use may not thereafter
be changed unless to a still more restricted use. For the
purpose of this Ordinance a use shall be deemed to be
changed if changed from a use included in a subdivision
of a use class to a use not included in such subdivision.
For the purpose of this Ordinance a non-conforming use
shall be deemed to be changed to a more restricted use if
the use to which such non-conforming use is changed is a
use included in a subdivision of a use class, that, in the
arrangement of classes, and subdivision in the classification
of uses precedes the subdivision in which such non-conform-
ing use is included.

Section 12. Height Districts.
12 (1) In a class A2 district no building shall be erected
to a height in excess of 2 1/2 stories or in excess of 25 feet
except that a church, school, or library building shall not
be erected to a height in excess of four stories or in ex-
cess of 50 feet.
12 (2) In a class H2 district no building shall be erected
to a height in excess of four stories or in excess of 50 feet.
12 (3) In a class H3 district no building shall be erected
to a height in excess of 80 feet.

Section 13. Height District Exceptions.
13 (a) The provisions of the preceding section shall not
apply to restrict the height of a church spire, belfry, clock
tower, wireless tower, chimney flue, water tank, elevator
building, stage tower or smoking loft.
13 (b) The City Planning and Zoning Commission may,
after public notice and hearing and subject to such condi-
tions and safeguards as the commission may prescribe, to
protect the appropriate use of neighboring property, permit
the erection of a building or portion of a building covering
not more than 25 per cent of the area of the lot to a height
in excess of the limits prescribed in the preceding section,
with the permission shall be confirmed by resolution of the
council before becoming effective.
13 (c) Nothing in this Ordinance shall prevent the erection,
above the height limit, of a parapet wall or cornice, solely
for ornamental and without windows, extending above such
height limit not more than three feet.

Section 14. Lot Area Per Family.
14 (a) In a class A1 district, no dwelling or apartment
house shall be erected or altered to accommodate or make
provision for more than one family for each 5,000 square
feet of the area of the lot,—if an interior lot,—or for each
4,000 square feet, if a corner lot. Provided that one single
family dwelling may be erected on any lot separately owned
at the time of the passage of this Ordinance or on any num-
bered lot in a recorded subdivision that is on record in the
office of the county recorder at the time of the passage of
this Ordinance.
14 (b) In a class A2 district, no dwelling or apartment
house shall be erected or altered to accommodate or make
provision for more than one family for each 2,500 square
feet of the area of the lot,—if an interior lot,—or for each 2,000
square feet, if a corner lot.
14 (c) In a class A3 district, no dwelling or apartment
house shall be erected or altered to accommodate or make
provision for more than one family for each 1,250 square
feet of the area of the lot,—if an interior lot,—or for each
1,000 square feet, if a corner lot.
14 (d) In a class A4 district, no dwelling or apartment
house shall be erected or altered to accommodate or make
provision for more than one family for each 900 square feet
of the area of the lot,—if an interior lot,—or for each 700
square feet, if a corner lot.
14 (d-1) In computing such area of the lot for the purpose
of this section, any part of the area of any corner lot in
excess of 800 square feet shall be considered an interior lot.
14 (e) For the purpose of determining the number of fami-
lies that may be housed on a given lot area, where a por-
tion of a building in a class A1, A2, or A3 district is ar-
 ranged, intended or designed for a business or industrial
use, the number of families that may be housed on such lot,
shall be reduced one for each 1,250 square feet or fraction
of a 1,250 square foot area actually covered by such portion
of the building as is arranged, intended or designed for such
business or industrial use.

Section 15. Rear Houses. In a class U1, U2 or U3 dis-
tric, no dwelling or apartment house erected shall have
access to a public street, and if located in the rear of other
buildings with no immediate street frontage, an easement
for access shall be provided over an unoccupied strip of
land not more than 20 feet in width and such reserved strip
may not form a part of any yard or lot areas required by this
ordinance.

Section 16. Width of Lot in Residence Districts. In a
class U2 or U3 district, no dwelling or apartment house
shall be erected on a lot having an average width of less than 40 feet, unless
such lot was separately owned at the time of the passage
of this ordinance or unless such lot is a numbered lot in a
subdivision that is on record in the office of the county rec-
corder at the time of the passage of this ordinance. In
a class U2 district, no double or two family house shall be
erected on a lot having an average width of less than 45 feet.
In a class U3 district, no apartment house or hotel
shall be erected on a lot having an average width of less
than 50 feet.

Section 17. Side Yards in Residence Districts.
17 (a) In a class U1, U2 or U3 district, for any building
erected, there shall be a side yard along each lot line other
than from front line or rear line.
17 (b) Each single family dwelling, each two family dwell-
ing, and each double family house shall be divided by a separa-
building and shall have side yards as above prescribed, ex-
cept that two single family dwellings may be attached as a
double house and be considered a single building in any
area other than in an area within a portion of a class U1,
U2 or U6 district.
(c) The least dimension of the rear lot shall be not less
than 8 feet and at least 20 per cent of the width of the
rear yard shall be devoted to yards not more than
20 feet in width and need not be so devoted.
(d) For an apartment house or hotel in a U3 district, the
least dimension of each side yard shall be not less than 10
per cent of the average width of the lot, but such least
dimension need not exceed 12 feet.
(e) Provided that under each subsection of this section
the least dimension shall, in no case, be less than one-
half of the height of the building.
Section 19. Rear Yards in Residence Districts. In a
class U1, U2 or U6 district, every building erected shall have
a rear yard.
(19-b) The least dimension of such rear yard shall be
20 per cent of the depth of the lot but such least dimension
need not be more than 40 feet providing such least dimen-
sion shall in no case be less than one-half of the height of
the building.
(19-c) Forty percent of the area of such yard may be
occupied by one accessory building not more than 24 feet in
height, but on a corner lot, the rear line of which is identical
with the side line of an interior lot, no such accessory build-
ing—shall be erected within 20 feet of any street line or within 10 feet of the
rear lot line.
Section 20-A. Side and Rear Yards in Business Districts.
In a class U4, U5 or U6 district, where the side line of the
lot adjoins a class U1, U2 or U6 district, no building—unless
located 50 feet or more back from the street line—shall be erected within 10 feet of such adjoining class U1, U2 or
U6 district.
(20-b) In a class U4, U5 or U6 district, where the rear
line of the lot adjoins a class U1, U2 or U6 district, every
building erected shall have a rear yard. The least dimen-
sion of such yard shall be at least 20 per cent of the depth
of the lot, but such least dimension need not be more than
40 feet provided such least dimension shall in no case be
less than one-half of the height of the principal building
thereon.
(20-c) Forty percent of the area of such rear yard may
be occupied by one story accessory building, but on a corner
lot no such accessory building, if detached from the
main building, shall be erected within 20 feet of the street
line and no such accessory building—unless located 50 feet
or more back from the street line—shall be erected within
10 feet of the rear lot line.
Section 21. Side and Rear Yard Exceptions.
(a) The area required in a side or rear yard shall be
open from the established grade or from the natural grade,
be higher than the established grade, to the sky, unob-
structed except for the ordinary projections of chimneys,
belts, cornices and other ornamental features to the
extent of not more than four inches, except that within five
feet of the street wall, a cornice may project not over three
inches. Provided that if the building is not
over 2½ stories in height, the cornice may project not more
than 2½ feet into such yard.
(b) A building and any accessory building erected on the
same lot, for the purpose of side and rear requirements,
shall be considered as a single building.
Section 22. Front Yards; Building Lines. For the pur-
pose of regulating front yards, for the purpose of regulating
the alignment of buildings near street lines, the building lines are set forth on the building map
which accompanies this ordinance and which the front yard
shall be a part thereof and hereof, and are hereby
established. The map designations and the map designation
rules which accompany said map are hereby declared part
thereof and hereof.
No building or portion of a building extending above
the established grade, may be erected between a building
line and the street line. In a class U1 district, a one story
un-enclosed porch may, however, be constructed between the
building line and the street line. On a corner lot, between
the building line and the street line and within the triangu-
lar space included between the street line for a distance of
25 feet from their point of intersection, no fence or other
structure more than three feet in height above the plans of
the established grades, shall hereafter be erected, and no
shrubs or foliage shall be maintained that, in the judgment
of the Inspector of Buildings, will materially obstruct the
view of a driver of a vehicle approaching the intersection
and within 75 feet of the center of such intersection, of ap-
proaching traffic within 75 feet of the center least
intersection. Where a building line is shown, on the build-
ing line map, as an existing alignment line, the alignment
of the buildings existing along such frontage shall determine
the lot line. In a class U1, U2 or U6 district, the building
line is required along both the front and side line
of a corner lot, and the building thereon, as constructed,
faces the front of the lot, the building line along such side
line, the distance of 150 feet back from the building line
at the corner shall be located 5 feet back from the
building line, in all cases, where a greater distance is prescribed on
the building line map on any street frontage in a class
U1, U2 or U6 district, where no building line is designated
on the building line map, the location of the building line
shall be as follows:
(1) On a street frontage on either side of a street be-
tween two intersecting streets, but excluding
along the side line of a corner lot, the distance of the build-
ing line, back from the street line, shall be 20 per cent of
the average or normal depth of the lots having their front
lines along such street frontage, but such distance back from
the street line need not be more than 40 feet. Where
any portion of such street frontage, there are lots of mark-
ed less depth than the normal, the City Planning and
Zoning Commission, in defining and applying the building
line regulation, may, when, in its opinion the general pur-
pos and intent of this section will be better served thereby,
divide such street frontage into sections for the application
of the above 20 per cent building line requirement. For the
purpose of this paragraph the term "lot" shall include such
improved parcel in separate ownership and unimproved
lots or parcels in subdivisions of land.
or by such easements, covenants or agreements, the provisions of this Ordinance shall control.

Section 26-A. Amendments. The council may, from time to time, on its own motion or on petition, after public notice and hearing, amend the regulations and districts herein established. Every such proposed amendment shall be referred by the council to The City Planning and Zoning Commission for report. Any such amendment, which shall receive the approval of The City Planning and Zoning Commission, shall not be passed by the council except by a three-fourths vote of the Council.

26 (b) If a protest against such amendment is presented, duly signed and acknowledged by the owner of the land within such area proposed to be altered, such amendment shall not be passed except by a three-fourths vote of the Council.

26 (c) If such amendment will transfer an area to a less restricted use, height or area district and a protest is presented, duly signed and acknowledged by the owner of the land adjacent to and within 200 feet from such area proposed to be transferred and within a more restricted use, height or area district than the district in which such area is proposed to be transferred, such amendment shall not be passed except by a three-fourths vote of the Council.

26 (d) Whenever the owners of 50 per cent of the land in an area, shall present a petition, duly signed and acknowledged, to the Council, requesting an amendment of the regulations prescribed for such area, it shall be the duty of the Council to vote upon such amendment within 90 days of the filing of the same by the petitioners, with the Council.

26 (e) If any area is hereafter transferred to another district, by change in the district boundaries, by amendment as provided in this section, the provisions of this Ordinance with regard to buildings or premises existing at the time of the passage of this Ordinance shall apply to buildings or premises existing in such transferred area at the time of the passage of such amendment.

Section 26. Completion and Restoration of Existing Buildings. Nothing herein contained shall require any change in the plans, construction or designated use of a building for which a building permit has been heretofore issued and which shall have been erected within 30 days of the date of such permit, and the ground story framework of which, including the second tier of beams, shall have been completed within 6 months of the date of such permits, and which entire building shall be completed according to such plans, as filed, within two years from the date of the passage of this ordinance.

26 (b) Nothing in this Ordinance shall prevent the restoration of a building wholly or partly destroyed by fire, explosion, act of God or act of the public enemy, subsequent to the passage of this Ordinance or prevent a change of such existing use under the limitations provided in Section 12.

26 (c) Nothing in this Ordinance shall prevent the restoration of a wall declared unsafe by the commissioner of buildings.

Section 27. Penalty for Violation. The owner or owners of any building or premises or part thereof, where anything in violation of this ordinance shall be placed, or shall exist,
Now therefore, be it ordained by the Council of the Village of Euclid, State of Ohio.

Section 1. That Items 5 and 10 of Section 3, Ordinance No. 2812, as listed under class 4 uses (local retail and wholesale sale district), be stricken from said Class 4 classification and added to the Class 5 use classification as Items Nos. 8 and 9 respectively.

Section 2. That in addition thereto, there shall be added to the Class 5 uses Item No. 10, in the following language: "Barbecues, sandwich and refreshment stands, soft drink stands, produce stands, both wholesale and retail."

Section 3. That part of Section 3 of Ordinance No. 2812, designated "class U4 Uses and Class U5 Uses" shall as a result of this amendment read as follows: Class U4 Uses. (Local retail or wholesale district).

(1) Bank, office, studio, telephone exchange, fire station.
(2) Restaurant, theater, moving picture show, police station.
(3) Retail store or shop for custom work or the making of articles to be sold only at retail on the premises.
(4) Sales office, sample room, wholesale store for hardware, dry goods or groceries.
(5) Skating rink or dance hall.
(6) Electric sub-station.
(7) Job printing, newspaper printing.
(8) Public garage for storage of motor vehicles.
(9) Class U5 Uses (Commercial).
(10) Billboard or advertising sign. (If permitted.)
(11) Warehouse for, or storage in bulk in the open building materials, contractor's equipment, lumber, ice, coal, wood or household goods.
(12) Ice manufacture, ice cream manufacture, bottling works, milk bottling for central distribution station, cold storage plant.
(13) Laundry, carpet cleaning, dry cleaning, dyeing.
(14) Blacksmith, horse shoeing, wagon shop, repair shop for motor vehicles.
(15) Freight station, street car barns, stable or wagon shed for more than five horses, wagons or motor trucks.
(16) Wholesale produce market, wholesale produce sales room.
(17) Gasoline or oil station not exceeding 1000 gallons storage, ice delivery station.
(18) Barbeque, sandwich and refreshment stands, soft drink stands, produce stands, both wholesale and retail.

Section 4. This Ordinance shall be in full force and effect from and after the earliest period allowed by law.

Passed July 16, 1927.

C. R. ELY,
Mayor, President of Council.

ATTORNEY: ROBERT TOPPING, Clerk.

ORDINANCE NO. 5421

By Mr. Kernblum.

An ordinance to amend Ordinance No. 2812 and repealing sections thereof.

Whereas, in the opinion of the Council it is necessary to amend Section 3 of Ordinance No. 2812, passed by the Council of the Village of Euclid on the 13th day of November, 1922, by changing the various uses of buildings and premises as are set forth in said Section 3 of Ordinance 2812, in order to properly safeguard the health, safety and welfare of the citizens of the Village of Euclid, and

Whereas, public notice and hearing have been given to the said amendment, and

Whereas, said proposal of said Section 3 has been referred to the City Planning and Zoning Commission and said body, has reported that said amendment is wholly in accordance with its judgment and meets with its approval.