RESOLUTION OF THE MONCLOVA TOWNSHIP TRUSTEES PROVIDING FOR TEXT AMENDMENT TO THE ZONING RESOLUTION

RESOLUTION NO. 1019206 - 04

Trustee Lang moved the adoption of the following resolution:

The Board of Trustees of Monclova Township, Lucas County, Ohio met at a regular meeting of the Board, on October 19, 2026, at 5:30 p.m.; whereupon the following resolution came on for consideration on the approved agenda of the Board:

WHEREAS, whenever the public necessity, convenience, general welfare, or good zoning practices require, the Township Trustees may, by resolution, amend the regulations and restrictions established by the Monclova Township Zoning Resolution; and

WHEREAS, amendments to the Zoning Resolution may be initiated by the adoption of a resolution by the Board of Trustees:

IT IS HEREBY RESOLVED that the following proposed amendments to the Township Zoning Resolution are for the public necessity, convenience, general welfare, or good zoning practices and the Zoning Administrator shall forward to the Lucas County Planning Commission for its recommendation a copy of the proposed Zoning Resolution text amendment as more specifically detailed on the attachment hereto for the purpose of **REGULATING THE PARKING OF COMMERCIAL MOTOR VEHICLES AND PROHIBITING UNREASONABLE NOISE FROM STATIONARY INTERNAL COMBUSTION ENGINES.**

IT IS FURTHER RESOLVED that this Resolution is hereby certified to the Zoning Commission pursuant to ORC 519.12 (A)(2).

BE IT FURTHER RESOLVED, that it is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were adopted in an open meeting of this Board and that all deliberations of this Board that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including §121.22 of the Revised Code of Ohio.

Trustee Hoecherl seconded the adoption of the Resolution, and the roll being called upon its adoption, the vote resulted as follows:

Debbie Stevens-Laux YES Barbara S. Lang YES Charles V. Hoecherl YES

I hereby certify that this is a true copy of Resolution No. 10192026-04 , adopted at a regular open meeting of the Board of Trustees on October 19, 2026.

ATTEST:

Gavin S. Pike - Monclova Township Fiscal Officer

MONCLOVA TOWNSHIP ZONING RESOLUTION TEXT AMENDMENT COMMERCIAL MOTOR VEHICLE OVERNIGHT PARKING AND NOISE MITIGATION

SECTION XX.01 PURPOSE AND INTENT

The Board of Trustees finds that the prolonged, continuous idling of commercial motor vehicle engines on commercial properties adjacent to or within close proximity of residential districts creates excessive, disruptive, and severe low-frequency noise. This noise disrupts sleep, degrades public health, and diminishes the peaceful enjoyment of residential property.

Because the Township operates under standard township statutory authority and does not possess limited home rule police powers, this section is enacted strictly as a land-use zoning regulation pursuant to Ohio Revised Code (ORC) § 519.02. Its purpose is to regulate the use of commercial land, including layout, site design, performance standards, and operational impacts of commercial parking facilities, to protect the surrounding residential uses from incompatible environmental influences.

SECTION XX.02 DEFINITIONS

As used in this Section:

- Commercial Motor Vehicle: Any motorized vehicle, tractor, or trailer combination with a gross vehicle weight rating (GVWR) or gross combination weight rating (GCWR) exceeding 10,001 pounds.
- Primary Propulsion Engine: The main internal combustion engine used to move the vehicle on public highways. This definition excludes secondary auxiliary power units (APUs) or transport refrigeration unit (TRU) engines, provided such units comply with applicable property-line noise limits as may be established in the Zoning Resolution.
- Commercial Parking Facility: Any commercial parking lot, truck stop, travel center, staging area, or facility capable of accommodating ten (10) or more commercial motor vehicles at any single time.
- Overnight Hours: The period between 9:00 p.m. and 7:00 a.m., local time.

SECTION XX.03 LAND-USE PERFORMANCE STANDARDS FOR COMMERCIAL PARKING FACILITIES

Any Commercial Parking Facility operating within the Township shall comply with the following operational land-use standards:

1. Stationary Idling Prohibition: No person, property owner, vehicle owner or operator shall cause or allow a stationary primary propulsion engine on any commercial motor vehicle to idle for a continuous period exceeding fifteen (15) minutes during Overnight Hours while parked, standing, or staging on the premises of a Commercial Parking Facility.

2. Application to Refrigerated Trailers: Towing tractors equipped with transport refrigeration units (TRUs) remain fully subject to the fifteen (15) minute maximum overnight idling restriction on their primary propulsion engines.

3. Exemptions: The restrictions in this subsection shall not apply to:

- Vehicles actively engaged in emergency utility repairs, emergency services, or medical response.
- Vehicles idling strictly due to mechanical difficulties over which the operator has no immediate control, provided repairs are actively being sought or executed.
- Vehicles idling to operate power take-off (PTO) equipment necessary for unloading or loading cargo.

SECTION XX.04 SITE REQUIREMENTS AND OWNER/OPERATOR OBLIGATIONS

To ensure compliance and mitigate land-use conflicts, the owner, developer, or operator of any Commercial Parking Facility must implement the following site controls:

1. Required Signage: Clearly legible signs must be permanently posted at all facility entrances, exits, and at intervals of no less than every five (5) parking stalls. Signs must be a minimum of 12 inches by 18 inches, utilizing high-visibility lettering, and state:

NOTICE: TOWNSHIP ZONING RESOLUTION XX.03 - CONTINUOUS IDLING OF PRIMARY PROPULSION ENGINES EXCEEDING 15 MINUTES IS STRICTLY PROHIBITED BETWEEN 9:00 PM AND 7:00 AM. VIOLATORS ARE SUBJECT TO ZONING CITATIONS AND FINES.

2. Buffer and Buffer Strip Maintenance: Any Commercial Parking Facility that abuts a residential zoning district must maintain a continuous, dense vegetative buffer strip or acoustic sound barrier wall as approved during Final Site Plan Review to further mitigate overnight acoustic impacts.

SECTION XX.05 PENALTIES AND ENFORCEMENT

1. Zoning Violations: Pursuant to ORC § 519.23, no person shall use or maintain land in violation of any regulation in this Zoning Resolution.

2. **Fines and Civil Actions:** Pursuant to ORC § 519.99, whoever violates any provision of this Section shall be assessed a civil fine of not more than $500.00 for each offense. The fine shall be collected by filing a civil action in the Lucas County Court of Common Pleas. In accordance with state law, each day a violation continues following a court-ordered relief window shall constitute a separate, distinct offense.

3. Enforcement Officers: The Lucas County Sheriff & Deputies, the Township Zoning Administrator, or any designated assistant zoning inspector, is authorized to inspect commercial premises, issue notices of violation, and issue zoning citations.

4. Civil Remedies and Injunctions: Pursuant to ORC § 519.24, the Board of Township Trustees, the Township Zoning Inspector, or any adjacent or neighboring property owner who would be especially damaged by such violation, may institute injunction, mandamus, abatement, or any other appropriate judicial proceedings to prevent, enjoin, abate, or remove such unlawful land-use or engine operation.