

ORDINANCE NO. 09-10

AN ORDINANCE CONCERNING WEED AND GRASS  
MAINTENANCE FOR THE VILLAGE OF THORNVILLE, OHIO <sup>an declaring</sup>  
<sup>an emergency</sup>

WHEREAS, the Council of the Village of Thornville, Ohio, has determined that it is necessary to update the Codified Ordinances of the Village in order to better protect the general health, safety, and welfare of the citizens of the Village.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF THORNVILLE, OHIO, THAT:

Section 1.

- (A) Property owners, lessees, agents, and tenants of real property located within the Village shall be responsible for maintaining said property from the edge of the abutting street or alley throughout said property. Such maintenance shall include cutting grass; maintaining shrubbery, flowers, trees, vines; and removing weeds, dead foliage, and other undesirable vegetation. Further, such maintenance shall ensure that pedestrian traffic on abutting sidewalk areas and views for motorists of street lights, traffic signs or the view of any other streets or intersections are not inhibited.
- (B) Consistent with subsection (A) above, grass and weeds on any property located within the Village shall be maintained on a continuing basis according to the following:
  - (1) As to property within a residential or commercial area: All areas shall be maintained at a height no greater than 6 inches or maturing to seed.
  - (2) As to property within residential or commercial area under development and not in an agricultural crop and that lack initial building construction:
    - (a) Grass shall be cut at least twice in every year, once between June 1 and July 1 and once between August 1 and September 1.
    - (b) Application of weed control may be required if large areas of said weeds are growing and will spread if not controlled. (Refer to Ohio Basic Code section 93.40 (B) for list of Noxious Weeds).
- (C) Notice to owner, lessees, agents, and tenants.
  - (1) In the event that a property is deemed to be not in compliance with any provision of this section, either as a result of the filing of a complaint with by any person or by action of Village Council, the Village shall provide written notice by certified mail to the violating party. Said notice shall inform the

violating party that it must comply with this section within 5 days of service of notice.

- (2) If the violating party has not complied with this section within 10 days after the first notice has been served, a second notice shall be sent via certified mail requesting compliance and advising that a citation shall follow if property is not brought within compliance within 5 days of service of the second notice.
- (3) If noncompliance continues beyond second notice, the Village Police Department shall issue a misdemeanor citation with the application of a \$150 fine. An additional \$150 noncompliance fine shall apply for each day said property remains in noncompliance.
- (D) In any case of continuing noncompliance after the second notice, Village Council has the option to bring said property into compliance. Any expenses associated with such action on the part of the Village shall be forwarded to County Auditor to be added to tax duplicate as noted in Ohio Basic Code section 93.44.
- (E) In application of this Section, care shall be taken to recognize unusual weather and/or family health situations which may reasonably delay compliance with this section.
- (F) This Section repeals any existing ordinance, section, or regulation that applies to maintenance of grass, weeds, etc. within the Village of Thornville.

Section II:

This Ordinance shall take effect at the earliest time provided by the laws of the State of Ohio.

Passed this 11<sup>th</sup> day of May, 2009.

ATTEST:

Sandy Davis  
Diane Wood, Clerk of Council  
Sandy Davis

Beth A. Patrick  
Beth A. Patrick, Mayor

APPROVED AS TO FORM:

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D. Michael Crites, Village Solicitor