

ORDINANCE NO. 11-07

AN ORDINANCE TO AMEND ORDINANCE NO. 09-10 CONCERNING WEED AND GRASS MAINTENANCE FOR THE VILLAGE OF THORNVILLE, OHIO

*And Declaring An Emergency.*

WHEREAS, on 6/30/11, the Council of the Village of Thornville, Ohio, passed Ordinance No. 09-10, thereby adopting a Weed and Grass Maintenance code for the Village; and

WHEREAS, the Village Council has determined that it is necessary to update the Codified Ordinances of the Village of Thornville, Ohio, 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, County of Perry, State of Ohio, a majority of the members elected thereto concurring, that:

Ordinance 09-10 is hereby amended to read as follows:

Section L

- (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 is 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 to spread mature seeds thereon.
  - (2) Undeveloped properties within residential or commercial areas located within Five Hundred (500) feet of a residential or commercial structure: All areas shall be maintained at a height no greater than 6 inches or to spread mature seeds thereon.
  - (3) Property located within residential or commercial areas that are under development, not in an agricultural crop, that lack initial building construction, and are not within Five Hundred (500) feet of a residential or commercial structure:
    - (a) Grass shall be cut at least twice in every year, once between the 1<sup>st</sup> day of June and the 1<sup>st</sup> day of July and once between the 1<sup>st</sup> day of August and the 1<sup>st</sup> day of September.
    - (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. This ordinance shall be enforced during the growing season which is defined as the 1<sup>st</sup> day of April through the 1<sup>st</sup> day of Oct.
- (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 by any person, by inspection of the zoning inspector, or by action of Village Council, the Village shall provide written notice by certified mail to the violating party ("Notice of Violation"). 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 notice has been served, the Village Police Department shall issue a minor 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 10 days from the service of 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 the Perry County Auditor to be added to tax duplicate as noted in Ohio Basic Code section 93.44. *to declare an emergency. SD*

Section II.

This Ordinance shall take effect and be enforced from and after the earliest period allowed by law.

Passed this 30th day of June, 2011.

ATTEST:

Sandy Davis  
Sandy Davis, Clerk of Council

Beth A. Patrick  
Beth A. Patrick, Mayor

APPROVED AS TO FORM:

D. Michael Crites  
D. Michael Crites, Village Solicitor