

Ordinance # 11-15

**AN ORDINANCE TO AMEND ORDINANCE NO. 11-07 CONCERNING WEED AND GRASS MAINTENANCE FOR THE VILLAGE OF THORNVILLE, OHIO AND DECLARING EMERGENCY**

WHEREAS, on May 11, 2009 Council passed Ordinance Number 09-10, thereby adopting Weed and Grass Maintenance code for the Village of Thornville.

WHEREAS, on June 30, 2011 Council passed Ordinance Number 11-07, thereby amending Ordinance 09-10

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:

That Ordinance 11-07 is hereby amended:

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 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) All land throughout property in which any part of the property is within five hundred (500) feet of a residential or commercial structure shall be maintained so that all grass and weeds across the entire property are at a height no greater than six (6) inches and not having matured to seed,
  - (2) As to property in which the entire property is 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 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).
  - (3) Any area of land that is being used for an approved agricultural use is excepted from this Ordinance. Portions of property that are not being used for agricultural purposes, however, are subject to this Ordinance.
- (C) Notice to owner, lessees, agents, and tenants. This ordinance shall be enforced during the growing season which is defined as April 1<sup>st</sup> through Oct 1<sup>st</sup>.
  - (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, 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 five (5) days of service of notice.

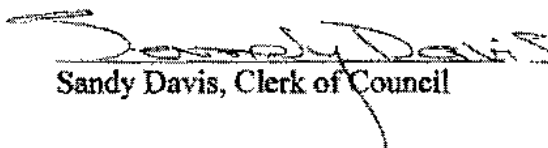
(2) If the violating party has not complied with this section within five (5) days after notice has been served, the Village Police Department shall issue a minor misdemeanor citation with the application of a \$150 fine. An additional \$150 noncompliance fine shall apply for each day said property remains in noncompliance.

(D) In any case of continuing noncompliance after 10 days from the date notice has been served, 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 and declaring an emergency.

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

Passed this 24<sup>th</sup> day of October, 2011.

ATTEST:

  
Sandy Davis, Clerk of Council

  
Beth A. Patrick, Mayor

APPROVED AS TO FORM:

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D. Michael Crites, Village Solicitor