

Record of Ordinance

Ordinance No.: 2018-18

Passed: April 9 2018

AN ORDINANCE RELATING TO THE TRIMMING OF WEEDS AND GRASS

WHEREAS, the Village Council of the Village of West Lafayette, Coshocton County, Ohio desires to establish an Ordinance, Relating to the Trimming of Weeds, and Grass;

BE IT ORDAINED by the Council of the Village of West Lafayette, State of Ohio as follows:

SECTION ONE:

(A) Any person owning or having control of land within the Village shall keep the land clear of tall or noxious weeds and/or grass. The person shall be required to keep the weeds and/or grass less than seven (7) inches tall.

(B) Written notice of the violation of this section shall be served upon the person owning or having control of such land notifying the person owning or having control of such land of the violation. The noxious weeds and/or grass notice shall inform the person owning or having control of such land that they are in violation of this ordinance and any noxious weeds and/or grass must be cut within 5 days after service of the notice.

(C) If the owner, lessee, tenant, occupant, or person or persons having care of or in control of such land is a nonresident of the Village of West Lafayette whose address is known, the notice shall be sent to such person's address by certified mail. Further, it is sufficient to post a notice in a conspicuous place on said premises or to publish such notice once in a newspaper of general circulation in the county.

(D) Thereafter, if the owner, or other person or persons having care of or in control of such land or premises fails to maintain such land or premises in accordance with this section, within the same calendar year, then the Village shall be permitted to abate the nuisance or to issue a subsequent complaint or citation to the offender, without the serving of a subsequent notice as set forth in this ordinance.

(E) The person owning or having control of the lands of this section who fails to comply with this ordinance within the time provided in paragraph (B) of this section is guilty of a minor misdemeanor for each day of violation.

(F) The Village of West Lafayette shall cause an annual notice to be published in a newspaper of general circulation in the County notifying the residents of the requirements of this ordinance.

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(G) A Property Maintenance Inspector is created by this ordinance. The Property Maintenance Inspector may request other persons to assist him. The Mayor shall appoint an Inspector.

(H) After, any person fails to comply with this Ordinance, the Village may cause such noxious weeds and grass cut and removed and may employ labor to perform the task. After such work is performed, the Village shall give five (5) days' notice by regular mail to the person owning or having control of such land or premises, to pay the cost of such cutting or removal of the noxious weeds or grasses, which notice shall be accompanied by a statement of the amount of cost incurred. If the same is not paid within thirty (30) days after the mailing of the notice, such amount may be certified to the Coshocton County Auditor for collection as other taxes and assessments are collected in accordance with Ohio Revised Code 731.54.

(I) When it is deemed necessary to cut and remove noxious weeds or grasses on private property, in accordance with the provisions of this section, the person owning or having control of the land or premises shall be charged at the rate of one hundred dollars (\$100.00) per hour or portion thereof, or the actual cost of such work, whichever is the larger. Actual costs shall include administration and supervision, transportation of equipment, equipment use, equipment operator, incidental labor, contractor charges, and any other costs and charges associated with mailing and/or publishing notices. The minimum charge therefore shall be one hundred (\$100.00).

(J) This ordinance does not apply to land being used under a municipal building or construction permit or license, during the applicable period of such permit or license, or under a conditional zoning permit or variance lawfully granted.

SECTION TWO:

This Ordinance shall repeal existing Ordinance Section 660.18 (a) (b) (c) (d) (e) together with Section 14 of the Dilapidated Structure Notice regarding grass and lawns. This Ordinance shall now be known as New Section 660.19 (a) (b) (c) (d) (e) (f) (g) (h) (i) & (j) of the Code of Ordinances for West Lafayette, Ohio and shall also incorporate Exhibit A and Exhibit B as the new official notice to cut and notice of assessment forms.

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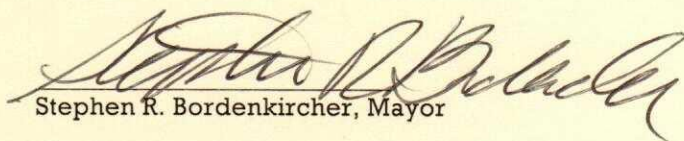
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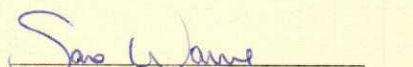
SECTION THREE:

That this Ordinance be and is hereby declared to be an emergency measure for the immediate preservation of the health, welfare, and safety of the citizens of the Village of West Lafayette, Coshocton County, Ohio, and to make this Ordinance effective for the upcoming Spring and Summer seasons, therefore, this Ordinance shall take effect immediately upon its passage and signing by the Mayor.

Passed on this 9 day of April, 2018

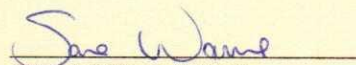

Stephen R. Bordenkircher, Mayor

ATTEST:


Sara Warne, Fiscal Officer/Clerk

CERTIFICATE OF POSTING

I hereby certify that the foregoing Ordinance was posted according to law this 10th day of April, 2018.


Fiscal Officer/Clerk