

ORDINANCE #17-2009

AN ORDINANCE TO AMEND SECTION 521.13 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF WOODVILLE, AND DECLARING AN EMERGENCY

WHEREAS, the Council of the Village of Woodville, Sandusky County, Ohio previously adopted a General Offenses Code pursuant to Part 5 of the Codified Ordinances of the Village of Woodville; and

WHEREAS, the Council of the Village of Woodville, Sandusky County, Ohio wishes to amend Section 521.13 of the Codified Ordinances of the Village of Woodville, Sandusky County, Ohio,

NOW, THEREFORE BE IT ORDAINED by the Council of the Village of Woodville, Sandusky County, Ohio that:

SECTION 1: 521.13 of the Village of Woodville Codified Ordinances which presently read as follows:

521.13 WEEDS

(a) Any person owning or having charge of land within the Municipality shall keep such property free and clear from noxious weeds and rank vegetation and shall be required to cut, destroy and control such weeds or vegetation on the lands owned or controlled by him each year.

(b) Upon information that noxious weeds are growing on lands in the Municipality and are about to spread or mature seeds, Council shall cause written notice to be served on the owner or persons having charge of such land that such weeds must be cut and destroyed within five days after service of such notice. If such owner or person having charge of such land is a non-resident whose address is known, such notice shall be sent to his address by certified mail; if unknown, it shall be sufficient to publish such notice once in a newspaper of general circulation in the County.

(c) Any police officer or Clerk of Council may make service and return of the notice provided for in subsection (b) and shall be allowed the same fee as that provided for service and return of summons in civil cases before a magistrate.

(d) If the owner or person having charge of such land fails to comply with such notice, Council shall cause the noxious weeds to be cut and destroyed. All expenses and labor costs incurred shall, when approved by Council, be paid out of Municipal funds not otherwise appropriated.

(e) Council shall make a written return to the County Auditor of their action under subsections (b) to (d) herein, with a statement of the charges for their services, the amount paid for labor, the fees of the officers serving such notices and a proper description of the premises. Such amounts, when allowed shall be entered upon the tax duplicate and be a lien upon such lands from and after the date of entry and be collected as other taxes and returned to the Municipality with the General Fund.

(f) Whoever violates this section is guilty of a minor misdemeanor.

be amended to read as follows:

(a) Any person owning or having charge of land within the Municipality shall keep such property free and clear from noxious weeds, grass, and rank vegetation, and shall be required to cut, destroy and control such weeds, grass, or vegetation on the lands owned or controlled by him each year.

(b) Upon information that noxious weeds, grass, or rank vegetation are growing on lands in the Municipality and are about to spread, mature seeds, or are eight (8) inches or more in height, the Village shall cause written notice to be served on the owner or person having charge of such land that such weeds, grass, or rank vegetation, must be cut and destroyed within five days after service of such notice. If such owner or person having charge of such land is a non-resident whose address is known, such notice shall be sent to his address by certified mail; if unknown, it shall be sufficient to publish such notice once in a newspaper of general circulation in the County.

(c) Any police officer or Clerk of Council may make service and return of the notice provided for in subsection (b) and shall be allowed the same fee as that provided for service and return of summons in civil cases before a magistrate.

(d) If the owner or person having charge of such land fails to comply with such notice, the Village shall cause the noxious weeds, grass, and rank vegetation to be cut and destroyed. All expenses and labor costs incurred shall be paid out of the Municipal funds not otherwise appropriated. Such expenses and costs for mowing, removal, etc. shall be a minimum of \$75.00 per service, an additional \$25.00 administrative fee will be implemented per notice, and all costs incurred shall be charged to any person owning or having charge of the said property.


(e) Council shall make a written return to the County Auditor of their action under subsections (b) to (d) herein, with a statement of the charges for their services, the amount paid for labor, the fees of the officers serving such notices, and a proper description of the premises. Such amounts, when allowed, shall be entered upon the tax duplicate and be a lien upon such lands from and after the date of entry and be collected as other taxes and returned to the Municipality with the General Fund.

(f) Whoever violates this section is guilty of a minor misdemeanor.

SECTION 2. All former provisions of any ordinance inconsistent with this Ordinance are hereby expressly repealed.

SECTION 3. This Ordinance is hereby declared an emergency measure, necessary for the preservation of the public peace, health and safety of the Village. Therefore, this ordinance shall be in full force and effective immediately upon passage.

SECTION 4. It is found and determined that all formal actions of the Council of the Village of Woodville, Sandusky County, Ohio concerning and relating to the adoption of this ordinance were taken in an open meeting of this Council, and that all deliberations of this Council that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.



Mayor Richard A. Harman

ATTEST:

Suspension of Rules: 7-13-09

Yeas: 6

Nays: 0

Passage: 7-13-09

Yeas: 6

Nays: 0



Clerk-Treasurer Barbara J. Runion