

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

Passed _____, 20____

ORDINANCE 2014 - 15

AN ORDINANCE REPLACING CODIFIED ORDINANCE SECTION 1333.01 TO SECTION 1333.99 CAPTIONED WEEDS AND LITTER WITH AMENDED CHAPTER 1333.01 THRU 1333.99 TO BE KNOWN AS WEED CONTROL.

WHEREAS, the Doylestown Planning Commission has recommended replacing the existing Ordinance as to the removal of weeds with an amended Ordinance that will streamline the process of providing notice and providing for an administrative fee.

WHEREAS, Council for the health, safety, and welfare of the citizens of Doylestown to provide for the orderly and sanitary maintenance and upkeep of property within the Village of Doylestown now wishes to approve this amended Ordinance to replace the existing Codified Ordinance.


NOW THEREFORE, be it ordained by the Council of the Village of Doylestown, Wayne County, Ohio:

SECTION 1: That sections 1333.01 thru 1333.39 of the existing Codified Ordinance Captioned Weeds and Litter is hereby replaced and amended with the new Codified Ordinance having sections 1333.01 thru 1333.39 captioned Weed Control a copy of which is attached hereto and referred to as Exhibit A.

SECTION 2: That this Ordinance is hereby declared an emergency in order to implement the amended Codified Ordinance at the earliest possible time permitted by law for the public peace, health, safety and general welfare of the Village and to have it in effect prior to the full growing season.

Passed: May 7, 2014

Attest:


Terry L. Lindeman, Mayor


Ann M. Youngblood, Clerk

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Exhibit A Weed Control

CHAPTER 1333

Weeds

1333.01	Cutting required
1333.02	Notice to cut
1333.03	Failure to comply
1333.04	Procedure when owner fails to comply with notice
1333.05	Responsibility of adjacent owner
1333.06	Application of chapter
1333.99	Penalty

1333.01 CUTTING REQUIRED

- (a) The owner having the care of any lot or land within the Village shall cut down and remove therefrom all offensive and noxious weeds, vines and grass of a height of 8 inches or more and any and all weeds, vines and grass constituting a threat to the public health, safety and welfare
- (b) It is a prima-facie violation of this chapter if weeds 8 inches or more in height exist on any lot between May 1st and October 1st.
- (c) The Village Zoning Inspector or designee of the Mayor shall cause annual notice to be published in the Village Newsletter and posted on the Village Website notifying residents of the requirement of this chapter.

1333.02 NOTICE TO CUT

- (a) When the Village Zoning Inspector or his designated agent determines that such weeds as described in Section 1333.01(a) exist on one of the days set forth in Section 1333.01(b), he shall forthwith serve written notice upon the owner of such lot or land, ordering the cutting and removal of such weeds and noxious grasses.
- (b) Only one notice per calendar year under subsection (a) hereof is required for a lot or parcel. If, after a notice has been served in accordance with this section the Village Zoning Inspector or his designated agent, determine that a subsequent violation has occurred, the Village may proceed with the remedy set forth in Section 1333.04 without further notice.

1333.03 FAILURE TO COMPLY

- (a) No owner shall fail to comply with the notice provided for in Section 1333.02 within five days from the receipt thereof.

1333.04 PROCEDURE WHEN OWNER FAILS TO COMPLY WITH NOTICE

- (a) If the owner of such land mentioned in Section 1333.01(a) fails to comply with the notice provided for in Section 1333.02, the Village shall cause such noxious weeds and grass to be cut and removed. Such cutting and removing shall be at the owners expense and the costs. Together with an administration fee of twenty percent (20%) shall be assessed against the lot or land. Such administration fee shall not exceed two hundred dollars (\$200).
- (b) Notice of such assessment shall be given to the owner of the lot or land charged therewith, or his agent, either in person or left at the usual place of residence or sent by mail, and all assessments not paid within ten days after the giving of such notice shall, after approval by Council, be certified by the Clerk of Council to the

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- (c) County Auditor to be placed on the tax duplicate and collected as other taxes are collected.

1333.05 RESPONSIBILITY OF ADJACENT OWNER

- (a) The owner of each lot adjacent to a street or alley shall be responsible for the area between the curb and the sidewalk, or between the edge of the street and the property line where there is no curb or sidewalk, and the area between the center line of the alley and the property line or the center line of an unimproved street and the property line.

1333.06 APPLICATION OF CHAPTER

- (a) The provisions of this chapter shall apply to all lots, parcels and land within the village.

1333.99 PENALTY

Anyone who violates Section 1333.01 is guilty of a minor misdemeanor of the fourth degree and shall be fined no more than two hundred and fifty dollars (\$250). Every day on which a violation is committed or is permitted to occur shall be deemed a separate offense and shall be punishable as such herewith.