

RECORD OF ORDINANCES

Ordinance No. 2009-7

Passed September 14, 20 09

CITY OF BELLBROOK, OHIO

ORDINANCE NO. 2009-7

AN ORDINANCE AMENDING CHAPTER 678 OF THE BELLBROOK MUNICIPAL CODE.

WHEREAS, the City of Bellbrook strives to maintain the property values of the residents; and

WHEREAS, properties with high grass and weeds diminishes the value of the subject property and the surrounding properties; and

WHEREAS, the City wants to modify the Municipal Code to improve the regulations relating to high weeds and grass; and

WHEREAS, it is recommended to amend Chapter 678 of the Bellbrook Municipal Code to improve these regulations.

NOW, THEREFORE, THE CITY OF BELLBROOK HEREBY ORDAINS:

Section 1. That the following section changes to Chapter 678 of the Bellbrook Municipal Code are hereby adopted with deletions shown by brackets and strikethrough and additions shown by italics and underlined:

§ 678.02 is hereby amended as follows:

- (a) The owner, occupant or person having charge or management of any lot or parcel of land in the City, whether the same is improved, unimproved, vacant or occupied, including the land between the sidewalk and the curb, shall cut or destroy or cause to be cut or destroyed any weeds or grass on such lot or parcel of land and to prevent the same from blooming, going to seed or exceeding a height of [~~12~~] 8 inches. As used in this chapter, "weeds" means an uncultivated, noxious vegetation not grown or allowed to grow for purposes of beautifying the surroundings or providing marketable crops.
- (b) This section shall not apply to farm land being operated as such within the Municipality, so long as such land is located more than 200 feet from any public street or thoroughfare.
- (c) Whoever violates this section is guilty of a minor misdemeanor.

§ 678.03 is hereby amended as follows:

- (a) If the owner does not trim or remove plants, shrubs, grass or weeds or any part thereof, in accordance with this chapter, the Manager is hereby authorized to cause written notice to be served on the owner or person having charge of the land that such plants, grass, weeds or shrubs must be cut and destroyed within five days after service of such notice. Written notice may be served by regular mail or by posting upon the premises. If such owner or person having charge of such land is a nonresident whose address is known, such notice shall be sent to his or her address by regular mail or may be posted on the premises; if unknown, it shall be sufficient to publish this chapter one time during the months of May through September in a newspaper of general circulation within the Municipality or may be posted on the premises. Notices issued under this section shall be effective for the remainder of the growing season in which they are issued. Remedy procedures may be taken without issuing any additional notices. If persons subject to this chapter have not complied with its requirements within five days from such publication or written notice, the Manager may

RECORD OF ORDINANCES

Ordinance No. 2009-7

Passed September 14, 2009

cause to be removed such plants, shrubs, grass or weeds found to be in violation of any of the provisions of this chapter.

(b) Whenever any plant or shrub, or part thereof, or weeds and grass, are growing in any street, upon private property contiguous to a street or sidewalk or public place, or in the land between the sidewalk and the curb and are trimmed or removed by the Municipality, then, after the work is done, the Municipality shall give ten days notice, by regular mail, to the owner of the lot or parcel of land, to pay the cost, as well as all administrative costs as determined and regulated by the City Manager, of such trimming or removal of plants, shrubs, grass or weeds, or parts thereof, which notice shall be accompanied by a statement of the amount of cost incurred. If the same is not paid within [30] 20 days after the mailing of the notice, then such amount shall be certified to the County Auditor for collection in the same manner as other taxes and assessments are collected. The remedy provided for herein shall be in addition to the penalties provided in Sections 678.01(d) and 678.02(c).

(c) The Municipality shall have the right to cause to be trimmed any trees standing in violation of Section 678.01. The Municipality shall give the property owner 15 days notice, in writing, to trim such trees, and in the event that the property owner fails to comply with the notice, the costs incurred by the Municipality shall be paid by the property owner. If such costs are not paid, they may be certified by the Finance Director to the County Auditor for collection in the same manner as other taxes.

Section 2. This ordinance shall take effect and be in force from and after the earliest period provided by law.

Passed this 14th of September, 2009.



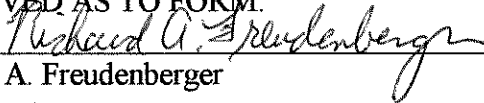
MARY C. GRAVES, MAYOR

ATTEST:



JILL D. ROSNER, Clerk of Council

APPROVED AS TO FORM:



Richard A. Freudenberger
Law Director