

ORDINANCE NO. 32-2010

Offered by All of Council

AN ORDINANCE AMENDING CHAPTER 1307 (“EXTERIOR PROPERTY MAINTENANCE CODE”) BY AMENDING SECTION 1307.12 (“YARD AREA MAINTENANCE”) AND ENACTING A NEW SECTION 1307.14 (“CUTTING WEEDS”)

WHEREAS, the Mayor has recommended that existing Section 521.11 be amended to place the responsibility for inspection and notices for cutting of weeds with the Zoning Inspector and moving Section 521.11 into Chapter 1307, “Exterior Property Maintenance Code”; and

WHEREAS, this Council wishes to remove the responsibility for supervising cutting of weeds from the Director of Public Service to the Zoning Inspector.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Richfield, Summit County, State of Ohio:

SECTION 1. That Chapter 1307 of the Building Code, “Exterior Property Maintenance Code,” be amended to amend Section 1307.12(b) to read as follows:

“1307.12 YARD AREA MAINTENANCE.

(a) * * *

(b) Grass and Weed Control. Grass and weeds shall be maintained, controlled and cut in conformance with ~~Section 521.11 of the General Offenses Code~~ 1307.14 of the Exterior Property Maintenance Code of the Village of Richfield.

(c) * * *

(d) * * *”

SECTION 2. That Chapter 1307 of the Building Code, “Exterior Property Maintenance Code,” be amended to enact a new Section 1307.14 to read as follows:

“1307.14 CUTTING WEEDS.

(a) Periodic Cutting Required. Whoever owns or has charge of land within the Village shall keep the property free and clear from all noxious weeds and rank vegetation and shall be required to cut all such weeds and vegetation on the lots owned or controlled by him.

(b) Notice to Cut; Service. Upon written information that noxious weeds are growing on lands in the Village and are about to spread or mature seeds, the ~~Director of Public Service~~ Zoning Inspector shall cause written notice to be served on the owner, lessee, agent or tenant having charge of such land, notifying him that noxious weeds are growing on such lands and must be cut and destroyed within five days after service of such notice. If the owner or other person having charge of such lands is a nonresident whose address is known, such notice shall be sent to his address by registered mail; if unknown, it shall be

sufficient to publish such notice once in a newspaper of general circulation in the County.

(c) Fees for Service and Return. ~~The Police Chief, any police officer or Clerk of Council Zoning Inspector~~ may make service and return of the notice provided for in subsection (b) hereof by registered mail, FedEx, or other manner provided for service and return of summon in civil cases before a magistrate and shall be allowed the same fees as that provided for service and return of summons in civil cases before a magistrate.

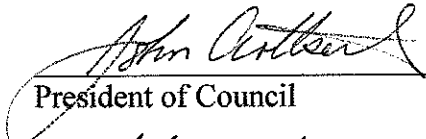
(d) Failure to Comply; Action by the Director of Public Service Zoning Inspector. If the owner or person having charge of such land fails to comply with the notice, the ~~Director of Public Service Zoning Inspector~~ shall cause the noxious weeds to be cut and destroyed. All expenses and labor costs incurred shall be paid out of Village funds not otherwise appropriated.

(e) Costs to be a Lien. Council shall make a written return to the County Auditor of its action under this section with a statement of the charges for its services, the amount paid for labor, the fees of the officers serving the 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 Village with the General Fund.”

SECTION 3. That Section 521.11 of the General Offenses Code and Section 1307.12(b) of the Exterior Property Maintenance Code as they existed prior to the effective date of this Ordinance be, and the same hereby are, repealed.

SECTION 4. This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: 8/17/10



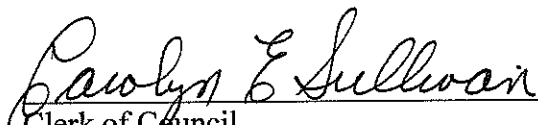
President of Council



Mayor

Dated: 8/17/10

ATTEST:



Clerk of Council