

REQUESTED BY: CITY MANAGER, SCOTT BAUER

DATE OF FIRST READING: 7-19-22 WAIVE RULES? YES NO
FINAL ACTION DATE: 8-16-22 VOTE: YES NO

SUSPENSION OF TWO READING RULE:

YES	NO
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ADOPTION OF ORDINANCE:

YES	NO
<input checked="" type="checkbox"/>	<u> </u>
<input checked="" type="checkbox"/>	<u> </u>
<u>ABSENT</u>	<u> </u>
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DENISE LINGO
 ROBERT PARSONS
 JOE ROETTING
 KISHA DOSA
 CORDEL GEORGE
 DANIEL MUELLER II
 PAUL R. YOUNG III
 TOTALS

ORDINANCE NO. 22-1989

AN ORDINANCE TO AMEND CHAPTER 153.31 (PROPERTY MAINTENANCE CODE) OF THE MT. HEALTHY CODE OF ORDINANCES REGARDING EXTERIOR PROPERTY AREAS

WHEREAS, from time to time, property maintenance issues arise that are not currently addressed in the Code of Ordinances; and

WHEREAS, the City has received complaints that involve exterior property maintenance issues that need to be addressed but cannot because the current Code does not include a suitable description of the issues.

WHEREAS, the building and zoning department of the City have recommended making amendments to Chapter 153 Section 31 Subsection 302.4 as detailed below in red with the addition of proposed 302.4(B) so that exterior property maintenance issues can be properly addressed by the City and its Code of Ordinances.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MT. HEALTHY, STATE OF OHIO:

Section 1. That Chapter 153 Section 31 Subsection 302.4 is hereby amended to read as follows:

302.4 (A) Weeds. All premises and exterior property shall be maintained free from weeds or plant growth in excess of seven inches. All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs, provided, however, this term shall not include cultivated flowers and gardens.

302.4 (B) Shrubbery or other vegetation shall not be permitted to grow in a manner that is a danger to the occupants and the public health, safety, and welfare, or in a manner

that creates, extends, or intensifies blighting or deteriorating conditions. Such manner shall include, but not limited to:

(1) Shrubbery or vegetation that is overgrown to the point that it impedes the delivery of governmental services, such as police, fire and rescue services; or

(2) Shrubbery or vegetation, except trees, that is overgrown to the point that it infringes on any neighboring property owner's right of quiet enjoyment of his or her property; or

(3) Shrubbery or vegetation that has grown in a manner such that it has infiltrated the siding or other building material of a dwelling.

Upon failure of the owner or agent having charge of a property to cut and destroy weeds after service of a notice violation, they shall be subject to prosecution in accordance with Section 106.3 and as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of violation, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the owner or agent responsible for the property.

Section 2. That the City Council, by a majority vote, hereby determines that this Ordinance is an emergency required for the health, safety, and general welfare of the City of Mt. Healthy and its residents

Section 3. That Council finds and determines that all formal actions relative to the passage of this Ordinance were taken in an open meeting and that all deliberations of Council which resulted in the passage of this Ordinance were taken in meetings open to the public, in full compliance with all legal requirements including Section 121.22 of the Ohio Revised Code. That this Ordinance shall be in full force and effect from and after the first date provided by law.

Passed this 16th day of AUGUST, 2022.

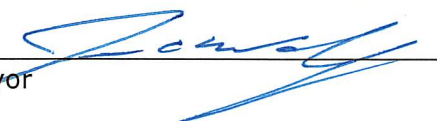


President of Council

Attest: 

Clerk of Council

Approved this 16th day of AUGUST, 2022.



Mayor