

ORDINANCE NO. C-01

FIRST READING: March 1, 2001

SECOND READING: March 8, 2001

THIRD READING: April 5, 2001

ADOPTION: April 5, 2001

EFFECTIVE DATE: May 5, 2001

WEEDS AND LITTER ON PRIVATE PROPERTY

I. Keeping Down Weeds

A) Any person owning or having charge of land within the Village of Amesville shall keep such 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 her or him at least six times each year- by May 15th, June 15th, July 15th, August 15th, September 15th, and October 15th.

B) Noxious weeds and rank vegetation shall include but not be limited to:

1) Any weeds such as the following:

- Buckthorn
- Canada Thistle
- Columbus Grass
- Corncockle
- Cressleaf Groundsel
- Curly Dock
- Dodder
- Field Bindweed
- French Weed
- Hairy Whitetop (Ballcress)
- Hedge Bindweed
- Heart-podded Hoary Cress
- Horsenettle
- Johnsongrass
- Leafy Spurge
- Mile-A-Minute Weed
- Musk Thistle
- Oxeye Daisy
- Perennial Sowthistle
- Poison Hemlock
- Purple Loosestrife
- Quackgrass
- Russian Knapweed
- Russian Thistle
- Serrated Tussock
- Shattered Cane
- Wild Carrot
- Wild Garlic

- Wild Mustard
 - Wild Onion
 - Wild Parsnip
- 2) Grapevines when growing in groups of 100 or more and not pruned, sprayed, cultivated, or otherwise maintained for two consecutive years; (O.A.C. §§ 901:5-31-01 and 901:5-37-01) (Rev. 2000)
 - 3) Bushes of the species of tall, common, or European barberry, further known as berberis vulgaris or its horticulture varieties;
 - 4) Any weeds, grass, or plants, other than trees, bushes, flowers, or other ornamental plants growing to a height exceeding 12 inches. Statutory Reference: List of prohibited and secondary noxious weeds, see O.A.C. §§ 901:5-31-01 and 901: 5-37-01

II. Notice To Owner To Cut Noxious Weeds, Remove Litter; Service.

- A) Upon written information that noxious weeds are growing on lands in the municipality and are about to spread or mature seeds, the Village Council shall cause a written notice to be served on the owner, lessee, agent, or tenant having charge of such land, notifying him or her that noxious weeds are growing on such lands and that they must be cut and destroyed within five days after service of such notice.
- B) Upon a finding by the Village Council that litter has been placed on the lands in a municipality, and has not been removed and constitutes a detriment to public health, the Village Council shall cause a written notice to be served upon the owner and, if different, upon the lessee, agent, or tenant having charge of the littered land notifying him or her that litter is on the land, and that it must be collected and removed within fifteen days after the service of the notice.
- C) As used in this section and IV Litter includes any garbage, waste, peelings of vegetables or fruits, rubbish, ashes, cans, bottles, wire, paper, cartons, boxes, part of automobiles, wagon, furniture, glass, oil of an unsightly or unsanitary nature, or anything else of an unsightly or unsanitary nature.
- D) If the owner or other persons having charge of the land is a nonresident of the municipality whose address is known, the notice shall be sent to his or her address by certified mail. If the address of the owner or other person having charge of the land is unknown it is sufficient to publish the notice once in the newspaper of general circulation in the county.

III. Fees For Service And Return

The Police Chief, any police officer, or Clerk of The Village Council may make service and return of the notice provided for in II and shall be allowed the same fees as that provided for service and return of summons in civil cases before a magistrate. (R.C. & 731.52)

IV. Procedure When Owner Fails To Comply With Notice

If the owner, lessee, agent, or tenant having charge of the lands mentioned in II fails to comply with the notice required by such section, the Village Council shall cause such noxious weeds to be cut and destroyed or such litter removed and may employ the

necessary labor to perform the task. All expenses incurred shall, when approved by the Village Council, be paid out of the money in the treasury of the municipality not otherwise appropriated. (R.C. & 731.53)

V. Written Return To County Auditor; Amount As A Lien Upon Property.

The Village Council shall make written return to the County Auditor of their action under II, and III with a statement of the charges for their services, the amount paid for labor, the fees of all officers serving notices, and a proper description of the premises. These 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. (R.C. & 731.54)

VI Penalty

Whoever violates any provision of this ordinance A-01 shall be subject to a fine of \$50.00. A separate offense shall be deemed committed each day during or on which a violation continues to occur.