

An Ordinance to control and regulate the placing or storing of used building materials, of wood, stone, brick, cement blocks or any composition thereof, motor vehicles in an inoperative condition, motor vehicles unfit for further use, automobile parts, scrap metal, tin cans, bottles, rope, papers, rubber tires, rags or any offensive materials on any lot, lots, part of a lot, or parcel of land within the corporate limits of the Village of Amesville, Ohio.

BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF AMESVILLE, STATE OF OHIO:

SECTION I

Definitions - In the interpretation and enforcement of this ordinance the following definitions shall apply:

A. Used building materials - Shall cannote any materials including wood, stone, brick, cement block, or any composition thereof, used or useful in the erection of any building or structure, which have been used previously for such erection or construction, by the same persons or by other persons.

B. Motor vehicle in an inoperative condition - Any style or type of motor vehicle used or useful for the conveyance of persons or property which is unable to move under its own power due to defective or missing parts, and which has remained in such condition for a period of not less than thirty (30) consecutive days.

C. Motor vehicles unfit for further use - Any style or type of motor driven vehicle used for the conveyance of persons or property, which is in a dangerous condition, has defective or missing parts, or is in such a condition generally as to be unsalable for further use as a conveyance.

D. Automobile parts - Any portion or parts of any motor driven vehicle as detached from the vehicle as a whole.

E. Scrap metal - Pieces of or parts of steel, iron, tin, zinc, copper, or any alloy thereof, whether covered with porcelain or any other material, whether intact or in parts, which has served its usefulness in its original form and can no longer be used or useful for its originally intended purpose.

F. Tin cans - Any container or sheet metal made of tin or any other alloy thereof, which is no longer useful in its present condition for the purpose for which it was originally intended.

G. Bottles - Glass containers and sheets or parts of sheets of glass whether in entire form or broken, which have served their intended purpose and are no longer fit for the original purpose thereof.

H. Rope - Materials of hemp, cotton, nylon, rayon or any composition thereof, whether in single piece or various parts, which is no longer safe to use or which cannot be longer used for its intended purpose.

I. Paper - Scrap paper or paper material not being used for any purpose in their original form or unfit for any further use in their original form and present condition.

J. Rags - Clothing or cloth which is unfit for further use for its originally intended purposes, in its present condition.

K. Offensive materials - Shall include, dead or decaying vegetable matter, whether formerly growing on the lot or lands or whether placed thereon, manure or fertilizer, which has remained on the premises for more than three (3) months, ashes, straw, offal, or other annoying materials.

SECTION 2: That it shall be unlawful and a nuisance per se, to store or allow to remain, used building materials, or wood, stone, brick, cement block, or any composition thereof, motor vehicles in an inoperative condition, motor vehicles unfit for further use, automobile parts, scrap metals, tin cans, bottles, rope, paper, rubber tires, rags or any offensive materials as herein defined, on any lot, lots, parts of lots, or parcel of land, within the corporate limits of the Village of Amesville, Ohio, except as hereinafter provided.

SECTION 3: That whenever any of the materials or articles herein defined and set forth are placed, stored or allowed to remain on said lot, lots, parts of lots, or parcel of land, for a period of more than thirty (30) days it shall constitute a violation of this ordinance and shall subject the owner, lessee, or tenant in charge thereof, to the penalties hereinafter set forth:

SECTION 4: Nothing herein contained, however, shall be construed to prevent any person or persons from purchasing used materials and placing or storing them on any lot, lots, parts of lots, or parcel of land, when such materials are to be used by the purchaser or owner for later construction on the same lot or any lot owned or controlled by the said purchaser or owner of said materials, provided that such materials shall not remain on said lot, lots, parts of lots, or parcel of land, for a period of more than thirty (30) days, unless the construction or erection planned for the use of said materials has been commenced, using said materials within the period hereinabove set forth, and said construction must be diligently prosecuted and all materials used and/or removed from said premises within a period of four (4) months from the time said materials were first placed on said lot, lots, parts of lots, or parcel of land. And it shall be unlawful for any person or persons to move any materials so stored or placed at another location within the corporate limits of the Village of Amesville, Ohio, for the purpose of avoiding the intent of this ordinance. Excepting that any such materials may be moved to another lot, lots, part of lots, or parcel of land, when the same have been sold to a bona fide purchaser for value for their own use.

SECTION 5: Whenever any of the materials herein defined, excepting manure, dead or decaying vegetable matter, or offal are placed, stored or allowed to remain on any lot, lots or part of lots within the corporate limits of the Village of Amesville, Ohio, and the same are placed or stored in a building or structure, or the same are placed on a lot, lots or parts of lots which are surrounded by an opaque or a solid fence nine (9) feet high and with a gate made of the same material not more than twelve feet wide, which completely encloses the materials therein, then said materials may remain therein, so long as they do not become a breeding place for rodents or other unhealthy or harmful animals or insects.

SECTION 6: That whenever a building or structure or parts thereof used or formerly used as a place of human habitation are moved from their original location to a location within the corporate limits of the Village of Amesville, Ohio, such buildings, structures or parts thereof, if intended for further human habitation, shall be placed in a livable condition, i.e., proper water and sewage facilities and necessary repairs and construction, completed within a period of four (4) months from the day of the same is placed on said lots, lot, parts of lots, parcel of land.

SECTION 7: Whenever a violation of this ordinance is noted by a police officer of the Amesville Police Department, such officer shall issue a written order, on a form prescribed by the mayor, directed the owner, agent, lessee, or tenant in charge of said premises, that a violation of this ordinance exists and such violation must be corrected within seven (7) days after the date of the issuance of the written order.

SECTION 8: That upon the expiration of the seven (7) days set forth herein, and the failure to correct the violation noted on such written order, the owner, agent, lessee or tenant in charge of the premises shall be fined

not less than five dollars (\$5.00) nor more than fifty dollars (\$50.00) for each offense and each day's violation, after the expiration of the same seven (7) days herein set forth, shall constitute a separate offense.

SECTION 9: Any motor vehicle parked or stored in violation of this section after seven (7) days notice of such violation mailed or delivered to the owner, in addition to the penalty provided in Section 8 herein, may be removed to a motor vehicle pound or other place of storage by any police officer, and shall not be released except upon payment of towing and storage charges. Vehicles so removed may be disposed of according to provisions of Section 737.331 of the Revised Code of Ohio.

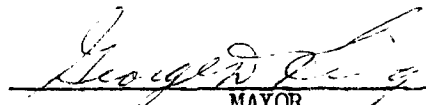
SECTION 10: In the event that the owner cannot be found or his address is unknown, any motor vehicle parked or stored in violation of this section after thirty (30) days' notice to the owner of the premises upon which any such motor vehicle is parked or stored or person in possession thereof, or the agent of the owner, may be removed to a motor vehicle pound or other place of storage by any police officer, and shall not be released except upon payment of towing and storage charges. Vehicles so removed may be disposed of according to provisions of Section 737.331 of the revised Code of Ohio.

SECTION 11: Should any Section, Clause, or Provision of this Ordinance be declared by a court to be invalid, the same shall not effect the validity of this Ordinance as a whole, or any part thereof, other than the part so declared to be invalid.

SECTION 12: All ordinances inconsistent herewith, are hereby repealed.

SECTION 13: That this Ordinance shall take effect and be in force from and after the earliest period provided by the law.

Done in Council this 1st day of March, 1971.


MAYOR

ATTEST:


CLERK