

ORDINANCE # 22-1-3

Litter, Junk, and Junk Vehicles

An ORDINANCE regulating litter, junk, junk vehicles (as defined within the Revised Village Zoning Ordinance), rubbish and uncontained garbage, upon properties within the Village of Clifton.

WHEREAS, the Village of Clifton is charged with regulating and enforcing the public peace, health, safety, welfare and morals of its residents, consistent with the laws of the State of Ohio; and

WHEREAS, there exist current conditions regarding the storage of litter, junk, junk vehicles, rubbish and uncontained garbage upon Village premises, which negatively impacts the public peace, health, safety, welfare and morals of its residents; and

WHEREAS, the Village of Clifton wishes to set out its rules and regulations with regard to such matters,

NOW THEREFORE, BE IT RESOLVED by the Council of the Village of Clifton:

Section 1: No person shall maintain, accumulate, or cause to be accumulated, litter upon any property within the Village. As used in this section, "litter" includes any garbage, waste, peelings of vegetables or fruits, rubbish, ashes, cans, bottles, wire, paper, cartons, boxes, parts of automobiles, wagons, furniture, glass or oil of an unsightly or unsanitary nature, or anything else of an unsightly or unsanitary nature.

Section 2: No person shall maintain, accumulate, or cause to be accumulated, junk, junk vehicles or inoperable vehicles, debris, or excessive yard waste, upon any property within the Village.

Section 3: All exterior property and premises shall be free from any accumulation of rubbish or garbage, except that placed in a sturdy garbage container.

Section 4: This Ordinance applies to all owners, lessees, agents or tenants having charge of any land or property in the Village of Clifton.

Section 5: The Mayor and/or a member of Village Council shall have access to all properties in the Village for the inspection and enforcement of this Ordinance. The Mayor or Council Member shall conspicuously post a notice of non-compliance upon any offending property, setting 30 days from posting, for the offending property to come into compliance with this Ordinance.

Section 6: Upon any lands or property posted for non-compliance with this Ordinance, and which non-compliant conditions are not corrected within 30 days, the Village has the following remedies:

6.1 The mayor, with Village Council approval, may choose to take action necessary to abate the violation. The cost of this abatement shall be calculated by the Mayor with assistance from the Village Clerk-Treasurer and shall be billed to the property owner, together with an administrative fee of two hundred and fifty dollars (\$250.00). If any property owner fails to pay the Village for the abatement, the Village Clerk-Treasurer shall certify the debt to the County Auditor who shall place the debt on the tax duplicate for collection as other taxes, returned to the Village, and credited to the General Fund. Until collected, the unpaid debt is a lien by Clifton Village against the property and may be collected by any means available to the Village. Or,

6.2 The Mayor, with Council approval, may choose to refer the uncorrected violation to the Greene County or Clark County Court for prosecution. Violations of the Ohio Revised Code shall be referred to County Courts. Violations which constitute misdemeanors established solely by this Ordinance shall be referred to Municipal Courts.

6.3 Any person found by a Court to be in violation of this Ordinance shall be deemed guilty of a fourth degree misdemeanor. Each day of failure to comply shall be considered to constitute a separate offense punishable by a fine of not less than fifty dollars (\$50) or more than two hundred and fifty dollars (\$250) for each day/offense.

Section 7: Any person given notice of violation may have a hearing with the Village Council to appeal the violation for which abatement is being sought. A request for a hearing must be in writing and delivered to the Mayor or a Council Member within 10 days of the posting of said notice of violation.

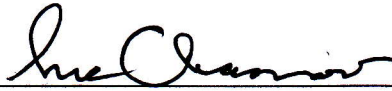
Section 8: Council declares this to be an emergency immediately necessary for the preservation of the public peace, health, safety, welfare and morals, such emergency arising out of the necessity to control junk in the Village. This revised Ordinance shall take effect and be in force from and after its passage and approval by the Mayor and Village Council and posting for ten days, and replaces Ordinance #17-10-02 which is hereby repealed.

Date: May 9, 2022

Mayor



Attest:



Clerk-Treasurer