

1466.32 EXTERIOR PROPERTY AREAS.

(a) Sanitation. All exterior property and premises shall be maintained in a clean, safe and sanitary condition. The occupant shall keep that part of the exterior property which such occupant occupies or controls in a clean and sanitary condition.

(b) Grading and Drainage.

(1) All premises shall be graded and maintained to prevent the erosion of soil and to prevent the accumulation of stagnant water thereon, or within any structure located thereon.

(2) Exception: approved retention areas and reservoirs.

(c) Sidewalks and Driveways. All sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions.

(d) Weeds and Grass. All premises and exterior property shall be maintained free from weeds or plant growth in excess of eight 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 does not include cultivated flowers and gardens.

(1) Removal of offensive weeds vines and grass by owner. The owner of any lot or parcel of land situated within the Municipality, whether the same is improved or unimproved, vacant or occupied, within five days of receipt of notice to do so, shall cut any offensive weeds, vines or grass on such lot or parcel or upon any street, public right-of-way or tree lawn abutting such lot or parcel. Notice may be served in person or certified mail or first class mail or by posting upon the premises. Only one notice per calendar year is required per lot, parcel or premises under this section. If, after a notice has been served in accordance with this section, the Code Official determines that a subsequent violation has occurred, the Municipality may proceed with the remedy set forth in subsection (2) hereof. The Manager may exempt lots or parcels of land of five acres or more in size either in whole or in part from the requirements of this section.

(2) Removal of offensive weeds, vines and grass by Municipality. If the owner does not comply with the provisions of division (d)(1) of this section, the Manager is authorized to enforce the provisions of this section and to cause to be cut and removed all offensive weeds, vines and grass.

(3) Annual notice. The Manager shall cause an annual notice to be published, in March of each year, in a newspaper of general circulation in the County notifying Municipal residents of the requirements of this section.

(4) Prima-facie violation. If weeds or grass of a height eight inches or more exist on any lot, parcel or premises within the Municipality between April 1 and November 1.

(5) Assessment of costs by Municipality. Whenever any offensive weeds, vines and grass are cut and removed by the Municipality pursuant to division (d)(2) of this section, the Municipality shall give five days notice, by regular mail, to the owner of the lot or parcel, at his or her last known address, to pay the cost of such cutting or removal, including the cost to serve notice, shall be charged to the owner, together with an administrative fee of two hundred dollars (\$200.00). Said notice shall be accompanied by a statement of the amount of cost, including the Municipality's administrative cost. If the same is not paid within ten days after the mailing of the notice, such amount shall be certified to the County Auditor to be placed upon the tax list and collected as other taxes are collected and returned to the Municipality in accordance with Ohio R.C. 731.54 to the credit of the General Fund. The remedy provided for herein shall be in addition to other penalties.

(e) Rodent Harborage. All structures and exterior property shall be kept free from rodent harborage and infestation. Where rodents are found, they shall be promptly exterminated by approved processes which will not be injurious to human health. After extermination, proper precautions shall be taken to eliminate rodent harborage and prevent re-infestation.

(f) Exhaust Vents. Pipes, ducts, conductors, fans or blowers shall not discharge gases, steam, vapor, hot air, grease, smoke, odors or other gaseous or particulate wastes directly upon abutting or adjacent public or private property or that of another tenant.

(g) Accessory Structures. All accessory structures, including detached garages, fences and walls, shall be maintained structurally sound and in good repair.

(h) Motor Vehicles, Recreational Vehicles, and Boats.

(1) No abandoned, discarded, wrecked, burned, dismantled, inoperable, unlicensed junked or partially dismantled motor vehicle, recreational vehicle or boat or part thereof, on private or public property, shall be kept or stored on any premises, and may be abated as such in accordance with Section 404.05 of the Traffic Code. No person shall keep or place any such vehicle or vehicle part:

A. Upon public streets or property except on an emergency basis; or

B. Upon private property of any person owning, in charge of or in control of any real property within the Municipality, whether as an owner, tenant, occupant, lessee or otherwise, for longer than 14 days, unless such vehicle is within a carport or fully enclosed building or structure. A tarpaulin, tent or other similar temporary structure shall not be deemed to satisfy the requirements of this division.

(2) In no event shall a vehicle, which by definition is an inoperable vehicle, and as such constitutes an imminent health, safety, fire or traffic hazard, be kept or located on any premises. One inoperable vehicle may be kept on a private driveway

or kept shielded from public view in a residentially zoned district. However, if the inoperable vehicle is in a state of visible disrepair or disassembly, it shall not be kept on the private driveway longer than 14 days. Filling stations, automobile repair shops or other motor vehicle-related businesses, in compliance with applicable Municipal ordinances, which businesses may place inoperable vehicles being repaired or offered for sale on the premises, so long as:

A. The inoperable vehicle being repaired can be reasonably matched to vehicle parts used in the repair process, and the process has a reasonable end time, and claim of being under repair is not a subterfuge for having junk vehicles or miscellaneous repair parts exposed to the public, thus presenting a public nuisance.

B. The inoperable vehicle being offered for sale is properly titled in the State of Ohio and is being offered for a sale at a fair market value as a vehicle, and not as a subterfuge, so that the vehicle can be used for a non-designed use, such as, but not limited to, a structure for storing items, a structure for displaying a sign or banner, or a structure for use as a housing or a business office.

C. Junkyards operated and maintained in compliance with applicable Municipal ordinances.

(3) Whoever violates any of the provisions of this section is guilty of a minor misdemeanor for a first offense; for a second offense, such person is guilty of a misdemeanor of the fourth degree; on each subsequent offense such person is guilty of a misdemeanor of the third degree.

(4) Exception. A vehicle of any type is permitted to undergo major overhaul, including body work. Painting of vehicles is prohibited unless conducted inside an approved spray booth. Such vehicle shall not be kept on a driveway longer than 14 days.

(i) Defacement of Property. No person shall willfully or wantonly damage, mutilate or deface any exterior surface of any structure or building on any private or public property by placing thereon any marking, carving or graffiti. It shall be the responsibility of the owner to restore said surface to an approved state of maintenance and repair.

(j) Obsolete Signs. All obsolete signs shall be removed.

(k) Screening or Removal of Outdoor Storage. In the Business Zoning District, all storage of materials, goods or products shall be within enclosed buildings or shall be effectively screened from view in a manner subject to the approval of the Planning Commission of the Municipality. Off-street parking of operative vehicles shall be an exception to this requirement. In Residence Zoning Districts, all outdoor storage for a period exceeding 15 continuous days (with any part of such a day being counted as an entire day) shall be enclosed or effectively screened from view in a manner subject to the approval of the Planning Commission. The storage of such functional items as children's play structures, firewood and operable automobiles and vehicles shall be exempt from this requirement. If the principal building on any premises has become vacant, portable objects shall not be stored outside on the lot, but instead shall be placed within an enclosed structure.

(l) Diseased and Dead Trees. Diseased trees are those with any form of decay or vegetation sickness that can be transmitted to other trees and those infected with insects to such an extent as to create a nuisance adversely affecting nearby persons or property. Such trees shall be removed immediately or shall be treated or sprayed to eliminate, at once, the risk of the decay or vegetation sickness being transmitted to other trees, and to remove the insect nuisance situation. The Code Official shall determine if a dead tree constitutes a safety hazard because of its proximity to the right-of-way, any building or structure, or persons who use nearby premises. If the Code Official decides that a tree constitutes such a safety hazard, it shall be removed at the expense of the owner or operator responsible for maintenance of the premises on which it is located.

(m) Casualty Damage Repair.

(1) Within 30 days after casualty damage to any structure or exterior property, the owner shall have taken the following steps:

A. Contracted for repair and restoration of damaged areas and removal of debris; and/or

B. Contracted for the demolition (as regulated by the Building Code of this Municipality) and removal of any portions of the premises not to be repaired and restored, and also for removal of debris in connection therewith; and

C. Arranged for the contract work to be completed within 60 days from the contract date, accepting delay caused by weather, strikes, acts of God or other matters beyond the reasonable control of the owner and contractor.

(2) The Code Official may extend these time periods to the extent he or she deems appropriate, but shall not be required to do so. Time is of the essence in repairing damage quickly so as to avoid detrimental impact upon persons and property.

(Ord. 31-07. Passed 10-23-07; Ord. 34-09. Passed 12-8-09.)