

**ORDINANCE TO PROVIDE FOR THE REMOVAL OF BRUSH AND
UNLICENSED VEHICLES, THE CUTTING AND DESTROYING OF NOXIOUS
WEEDS AND GRASS, LOCATED ON OR GROWING ON LAND WITHIN THE
VILLAGE OF PEMBERVILLE**

BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF PEMBERVILLE, COUNTY OF WOOD, STATE OF OHIO:

SECTION 1: Upon information that noxious weeds as defined by the Ohio Director of Agriculture are growing on lands within the Village, and are about to spread or mature seeds, or that brush or brush piles, or unlicensed vehicles are located on lands within the Village, or that grass 8 inches or more in height is growing on lands within the Village, the Village Council, if it determines that the growth of noxious weeds and/or grass or the piles of brush or unlicensed vehicle or vehicles in that location constitutes a health hazzard and/or nuisance to the occupants of neighboring property, shall cause a written notice to be posted upon the property, notifying all persons that such health hazzard and/or nuisance must be abated within 5 days after the posting of such notice. The Chief of Police, a police officer, Clerk of Village Council, or a designee of the Chief of Police or Clerk of Village Council may make posting of the notice and a return of same to the Clerk.

SECTION 2: If the owner, Lessee, agent, or tenant, or other person having charge of the lands mentioned in Section 1 hereof fails to comply with the notice required by such Section, the Village shall cause such health hazzard and/or nuisance to be abated, and may employ the necessary labor and equipment to perform the task. All expenses incurred shall, after approval by Village Council, be paid from money in the Village General Fund, not otherwise appropriated. Use of Village labor and equipment shall be charged at the rate of \$130.00 per hour unless otherwise determined by resolution of council. Damage to Village equipment caused by the abatement will also be charged.

SECTION 3: Village council shall make a written return to the Wood County Auditor of its action under Section 1 and 2 hereof, with a statement of the charges for the services necessary, the amount paid for the performing of such labor, the fees of the officers making service of the notice or notices and return, and a proper description of the premises. Such amounts, when allowed, shall be entered upon the tax duplicate, shall be a lien upon such lands from the date of entry, and shall be collected as other taxes and returned to the Village of Pemberville to the general fund.

SECTION 4: This ordinance shall take effect at the earliest time permitted by law.

Passed: July 3, 2007

James Opelt, Mayor

Attest:

Debra L. Cartledge, Fiscal Officer

MICHAEL J. MARSH
VILLAGE LEGAL COUNSEL