

ORDINANCE NO. 21-2003

AN ORDINANCE CONTROLLING THE STORAGE OF VEHICLES AND MATERIALS

WHEREAS, the City Administration is requesting the creation of an ordinance controlling the storage of vehicles and materials; and,

WHEREAS, the Council of the City of Washington Court believes that the citizens of the city should be able to enjoy the quiet solitude and enjoyment of their homes and surroundings without having it polluted with junk vehicles and trash.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF CITY OF WASHINGTON, STATE OF OHIO

SECTION I. That the Council of the City of Washington does hereby adopt the following ordinance.

STORAGE OF VEHICLES AND MATERIALS

Definitions. For the purpose of this section the following definitions shall apply unless the context clearly indicates or requires a different meaning.

1. **GARBAGE.** The animal and vegetable waste resulting from the handling, preparation, cooking and consumption of food.
 2. **INOPERABLE VEHICLE.** Any style or type of motor-driven vehicle used or useful for the conveyance of persons or property which is not legally licensed and tagged with a valid registration for the current year; and/or is unable or not lawfully permissible to move, on or off the premises, under its own power due to defective, missing, or mechanically inoperable part(s).
 3. **JUNK.** Any discarded or salvaged material or fixture; obsolete or inoperable machinery, or parts thereof; scrap metal; discarded furniture; and discarded appliances.
 4. **RUBBISH.** Combustible and noncombustible waste materials, including the residue from, paper, rags, cartons, boxes, wood, rubber, leather, tree branches, yard trimmings, tin and metal cans, metals, mineral matter, and glass.
 5. **VEHICLE PARTS.** Any portion of any motor-driven vehicle as detached from the vehicle as a whole.
- A. Storage of certain materials prohibited.
1. No person shall store, place, or allow to remain any vehicle parts, inoperable vehicles, junk, rubbish, or garbage (not lawfully stored as prescribed in Chapter 51 of the Codified Ordinances of the City of Washington), outside on any lot, lots, or parts of lots or any parcel of land, zoned residential or used for residential

purposes, within the corporate limits of the city.

2. Abatement by City.

In the event of a violation of this section, the Chief Administrative Officer or his designee shall give notice to the owner, owner of record per the last tax mailing address as recorded at the Fayette County Recorder's Office, occupant, tenant, lessee, or person(s) having charge of the premises upon which the violation exists to abate such violation. Such notice shall be written and shall include: a description of the violation; the location of the violation; a statement of the act(s) necessary to abate the violation; the time required to abate the violation; and the right to appeal the violation. Service of such notice shall be deemed adequate when served by: personal service; sending the notice by certified or registered mail, certificate of mailing; or by posting the notice on a conspicuous place on the property deemed in violation. Notice shall be considered given on the day the personal service is given; the day the notice is posted on the property; the date signed for on the return receipt from the certified or registered notice; or three days after the date stamped upon the notice sent by way of certificate of mailing.

- a. If the person(s) served with the notice as provided in A(2) of this section fails to abate such violation within seven (7) days of the date upon which the notice was given, the Chief Administrative Officer or his designee may take any such action as may be necessary to abate said violation.
- b. All related charges encumbered while abating said violation shall be billed directly to the person(s) upon which the violation notice was served. All charges must be paid within 60 days upon receipt of said charges.
- c. If the person served with the violation is the owner of the property, the owner shall be billed directly for the cost of the abatement of the violation. The bill for the cost of the abatement shall be paid within 60 days upon receipt of the bill. If not paid within the 60 day period, it shall be certified to the County Auditor. The Clerk of Council may certify the total cost, or unpaid portion thereof of such abatement, together with a proper description of the land(s) to the County Auditor who shall place the cost upon the tax duplicate. The costs are a lien upon such lands from and after the date of entry. The cost shall be collected as other taxes and returned to the city or the city may recover the cost by any other legal means available to it.
- d. If the person served with the violation is other than the owner of the property, that person shall be billed directly for the cost of the abatement of the violation. The bill for the cost of the abatement shall be paid within 60 days upon receipt of the bill. If not paid within the 60 day period, it may be attached and added to the water/sewer bill (if one is established in the name of the person served with the violation) and collected as

prescribed in Chapter 54 of the Codified Ordinances of The City of Washington.

B. Appeal.

Any person served with a notice of violation may have a hearing with the Chief Administrative Officer or his designee to appeal the violation for which abatement is being sought. A request for a hearing must be made in writing and delivered to the Chief Administrative Officer or his designee within the time prescribed within the notice to abate said violation or it will be conclusively presumed that the violation exists. Within five (5) working days upon the conclusion of the hearing, the Chief Administrative Officer or his designee shall render a written decision as to whether a violation exists. If, upon due consideration of the information presented, the violation exists as per originally determined, the Chief Administrative Officer or his designee may maintain the original abatement schedule ordered or may modify it as necessary to adjust for any information presented.

SECTION II. That all other ordinances or resolutions in conflict herein are expressly repealed.

SECTION III. This ordinance shall go into effect at the earliest date permitted by law.

PASSED:

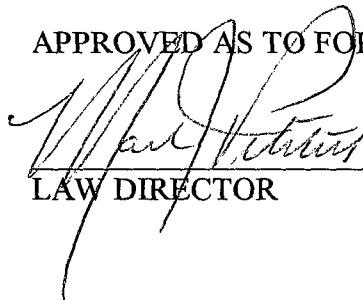
July 23, 2003


CHAIRMAN OF COUNCIL

ATTEST:

Deena M. Keaton
CLERK OF COUNCIL

APPROVED AS TO FORM:


LAW DIRECTOR