

**ORDINANCE # 104-16**

**AN ORDINANCE ENACTING AN EXTERIOR PROPERTY MAINTENANCE CODE FOR THE VILLAGE OF MIDDLE POINT, OHIO AND REPLACING ANY EXISTING ORDINANCE CONTROLLING JUNK, TRASH, RUBBISH AND NUISANCES**

BE IT HEREBY ORDAINED BY THE COUNCIL of the Village of Middle Point, State of Ohio,

SECTION ONE: That the following shall be known as the Exterior Property Maintenance Code of the Village of Middle Point, Ohio:

**MAINTENANCE RESPONSIBILITY:**

- A. The owner and/or manager of every structure or use within the Village shall be responsible for maintaining the exterior surfaces of the same in conformance with the provisions of this Code.
- B. The owner and/or manager of any structure or use within the Village shall be responsible for maintaining the yard area contiguous thereto in conformance with the provisions of this Code.
- C. The owner and/or manager of every yard or lot within the Village shall be responsible for maintaining their yard and/or lot area in conformance with the provisions of this Code.
- D. No owner or manager shall be relieved from the obligations of, nor be entitled to defend any violation by reason of any contract or agreement between them and any other person.

**YARD AREA MAINTENANCE:**

- A. Refuse:
  - 1. No furniture, mattresses, household furnishings, rugs, appliances, dilapidated vehicles or vehicle parts, discarded or abandoned machinery and construction equipment shall be placed or stored in any yard area or use within the Village over a period in excess of five (5) Days. Said five (5) day period may be extended as a result of extenuating circumstances if approved by the Village Administrator.

2. Exterior property areas of all premises or uses shall be kept free of dead trees, brush piles, objects, materials, or conditions that, in the opinion of the Village Administrator, create a health, accident, or fire hazard, or are a public nuisance, or constitute a blighting or deteriorating influence on the neighborhood. All debris shall be removed within five (5) days. Said five (5) day period may be extended as a result of extenuating circumstances if approved by the Village Administrator.

B. Grass and Weed Control, Surface Condition:

1. Removal of Noxious and Excessively High Grass and Weeds Constituting a Public Nuisance

A. It is hereby deemed that weeds or grass growing at a height of six (6) inches or higher upon any property within the Village are a public nuisance. All lots shall be provided with grass or other appropriate ground cover or landscaping material so as to assure absorption of rainfall and prevent erosion and rapid runoff of surface water.

C. Accessory Structures:

1. All structures or uses located in the yard areas within the Village, such as sheds, barns, garages, bins, and the like, shall be maintained in good repair in conformance with other provisions of this Code having regard to foundations, roofs, and exterior surfaces.

2. Any broken, rusted, deteriorated, or decayed fence, yard enclosure, or other device or structure located in the yard area contiguous to any structure or use within the Village shall be repaired or removed.

INFESTATION:

All structures, and the premises thereof, shall be maintained free of vermin, rodents, and other pests, and free of sources of breeding, harborage, and infestation by such vermin, rodents, and other pests.

**Pursuant to said ordinance, you will have five (5) days upon receipt of letter to bring your property in to compliance. If it is not brought in to compliance the Village of Middle Point will bring someone in to mow and clean up the property at your expense. This is at a rate of \$300.00 for the first hour and a \$100.00 an hour for every hour thereafter, per laborer and the costs to the village will be assessed to your property taxes.**

**VIOLATION OF THIS ORDINANCE A MISDEMEANOR**

Pursuant to Ohio Revised Code Section 715.67, failure to abate a public nuisance is subject to a misdemeanor punishable by a fine of not more than five hundred dollars and a jail term not to exceed six months.

SECTION TWO: Any portion or portions of ordinances or resolutions heretofore approved by the Village of Middle Point which are in conflict or inconsistent with any provisions of the Exterior Property Maintenance Code, adopted in Section One hereof, are hereby repealed as of the effective date of this Ordinance.

SECTION THREE: Pursuant to R.C. 731.30, the village council finds that this Ordinance is necessary for the immediate preservation of the public peace, health, or safety of the village of Middle Point, and shall go into immediate effect.

**PASSED AND ADOPTED BY THE COUNCIL OF THE VILLAGE OF MIDDLE POINT, OHIO THIS 13th DAY OF DECEMBER, 2016;**

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Brenda Mengerink, President of Council

Approved by me this 13<sup>th</sup> day of December, 2016;

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Mark Dickman, Mayor

Attested:

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Lynn Stoffel, Office Manager