

## ORDINANCE NO. 14-25

### AN ORDINANCE REGULATING GRASS, WEEDS AND OTHER VEGETATION WITHIN THE VILLAGE OF VERSAILLES

**WHEREAS**, to protect the public health, safety and welfare of the residents of the Village of Versailles it is necessary to establish regulations to control the excess growth of grass, weeds and other unmanaged vegetation.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the Village of Versailles, State of Ohio:

**SECTION ONE:** The excessive growth of grass, weeds or other rank and unmanaged vegetation is hereby declared a nuisance and is hereby prohibited. For purposes of this ordinance the excessive growth of grass, weeds or other rank or unmanaged vegetation in excess of 10 inches from the ground is and shall be considered a nuisance as herein described.

**SECTION TWO:** The owner, occupant or person having the charge or management of any parcel, lot or land within the Village shall not allow a nuisance as described in Section One above to occur upon such parcel, lot or land.

**SECTION THREE:** Whenever the Village Administrator determines there exists a nuisance as provided in Section One above, he/she shall give notice of such violation by placing a placard conspicuously placed upon the property for a period of five (5) days. Such placard shall clearly state:

- a. The nature of the nuisance;
- b. An order to maintain, cut and/or remove the grass, weeds or other unattended rank or unmanaged growth of vegetation;
- c. A statement that should the property owner fail to comply with the order the Village shall cause the grass, weeds or unattended rank or unmanaged growth of vegetation to be maintained, cut and/or removed at the owner's expenses of removal plus the Villages administrative fee;
- d. The penalties provided for removing the placard before bringing the property into compliance; and
- e. The contact information of the Village Administrator.

Such placard shall remain on the property until the property is brought into compliance. Removal of the placard before the property complies with the provisions of this ordinance shall constitute a violation of this section and cause the offender to be subject to a Three Hundred Dollar (\$300.00) penalty. In lieu or in addition to, the placement of the placard, as provided for herein, the Village Administrator may, at his/her sole discretion, send written violation notice by United States Postal Service regular mail to the person or entity who is the owner of record at the Darke County, Ohio Auditor's Office. Service of such written notice shall be deemed to have been affected upon placement of such written notice of violation into a United States Postal Service postal delivery receptacle. Only one such written notice needs to be provided to any owner of record during any calendar year.

**SECTION FOUR:** If the owner, occupant or person having the charge or management or any parcel, lot or land within the Village of Versailles fails to comply with the prohibition set forth in Section Two and after a period of five (5) days have passed since the placard is placed upon the property or written notice is provided as set forth in Section Three above, the Village Administrator shall cause such nuisance conditions to be cut or destroyed and prevented from bearing or going to seed. All expenses so incurred, including charges for all services and service of notice, the use of machinery, equipment and labor necessary for cleaning as well as the cutting of such parcel, lot or land may be charged against the owner, occupant or agent having the charge or management of the non-compliant parcel, lot or land upon which the Village caused such grass, weeds and rank and unmanaged vegetation to be cut or destroyed.

**SECTION FIVE:** The Village Administrator shall cause an annual notice to be published in a newspaper of general circulation of the Village on or about March 1<sup>st</sup> of each calendar year notifying the residents of the provision of this ordinance.

**SECTION SIX:** A violation of this ordinance shall subject the owner, occupant or person having the charge or management of the parcel, lot or land to the expenses provided in Section Four above plus an additional Fifty Dollar (\$50) administration fee for a first violation and a One Hundred Dollar (\$100.00) administration fee for each subsequent violation. If the invoice for the services, service of notice, use of machinery, equipment and labor together with the Village's administrative fee for violation of this ordinance is not paid within Thirty (30) days after mailing the same to the owner of record provided for in Section Three above, then the Village Fiscal Officer shall certify said amount, together with a Ten Percent (10%) penalty, to the Darke County Auditor for placement on the tax duplicate to be collected as other taxes for return to the Village and shall be a lien upon the premises from the date of certification.

**SECTION SEVEN:** Any ordinance or portion of any ordinances heretofore adopted by the Village of Versailles which are in conflict or are consistent with any provisions of this ordinance are hereby repealed as of the effective date of this ordinance.

**PASSED**, this 23<sup>rd</sup> day of July, 2014.

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JEFFRY A. SUBLER, Mayor

ATTEST:

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KARI EGBERT, Fiscal Officer

APPROVED AS TO FORM:

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THOMAS L. GUILLOZET, Village Attorney