

VILLAGE OF GEORGETOWN, OHIO

ORDINANCE NO. 1321

AN ORDINANCE REGULATING THE STORAGE, PLACEMENT OR ALLOWANCE OF USED BUILDING MATERIALS, INOPERATIVE MOTOR VEHICLES, MOTOR VEHICLE PARTS, SCRAP METALS, REFUSE OR RUBBISH ON PROPERTY WITHIN THE VILLAGE OF GEORGETOWN

WHEREAS, the Council of the Village of Georgetown (“Village Council”) seeks to exercise its power to maintain a clean, healthy and safe environment for properties located within the Village of Georgetown (the “Village”);

BE IT ORDAINED by the Council of the Village of Georgetown, Brown County, Ohio, a majority of all members thereof concurring as follows:

SECTION 1. For the purpose of this Ordinance, the term “inoperative motor vehicle” shall be deemed to mean motor-driven vehicles that cannot, both physically and lawfully, under their own power and without repair and replacement of parts, be operated on the public highways of the Village and have remained in such inoperative condition for thirty (30) or more consecutive days.

SECTION 2. For the purpose of this Ordinance, the term “refuse or rubbish” shall be deemed to include any garbage, waste, peelings or vegetables or fruits, ashes, cans, bottles, wire, cartons, boxes, glass, plastic, scrap or any unsightly nature, or anything else of an unsightly or unsanitary nature.

SECTION 3. No person, business, corporation or other entity shall store or place any used building materials, inoperative motor vehicles, motor vehicle parts, used tires, inoperative machinery, machinery parts, scrap metals, refuse or rubbish on any property or allow any such materials, vehicles, machinery, machinery parts, used tires or substances to remain on any property, except to the extent that such materials, vehicles, machinery, machinery parts, used tires or substances so stored, placed or allowed, are not visible from any point on any other property (including any point on any structure on such other property), public or private.

SECTION 4. It shall not be unlawful, however, for any person, business, corporation or other entity to store or place used building materials on any property when such materials are to be used by the owner of such property in construction on such property or on any other property owned by them, provided that such materials shall not be allowed to remain unused on such property for more than thirty (30) days prior to the commencement of such construction and provided that such materials are either used in such construction or are removed from the property within six (6) months of the placement of such materials on such property.

SECTION 5. No person, business, corporation or entity shall store or place any appliances (including, but not limited to refrigerators, cooking stoves, gas or electric ovens or ranges and dishwashers), indoor plumbing fixtures or indoor type furniture on any property or allow any such appliances, indoor plumbing fixtures or indoor type furniture to remain on any property except to

the extent that such appliances, indoor plumbing fixtures or indoor type furniture so stored, placed or allowed, are not visible from any point on any other property (including any point on any structure on such other property), public or private.

SECTION 6. It shall not be unlawful, however, for any person, business, corporation or other entity to store or place appliances, indoor plumbing fixtures or indoor type furniture on any property when such appliances, indoor plumbing fixtures or indoor type furniture is to be used by the owner or such property in construction on the property or on any other property owned by them, provided that such appliances, indoor plumbing fixtures or indoor type furniture shall not be allowed to remain unused on such property for more than thirty (30) days prior to the commencement of such construction and provided that such appliances, indoor plumbing fixtures or indoor type furniture are either used in such construction or are removed from the property within six (6) months of the placement of such appliances, indoor plumbing fixtures or indoor type furniture on such property.

SECTION 7. Whoever shall violate any of the provisions of this Ordinance shall be found guilty of a minor misdemeanor and fined not more than One Hundred Fifty Dollars (\$150.00), and a separate offense shall be deemed committed each day during, or on which, such violation occurs or continues. In the event of any such violation by a business, corporation or other entity, the owner(s) of such business or the officers of such corporation or the managing members/partners of such entity, shall be deemed personally amenable to the provisions of this Ordinance and subject to citation and fine hereunder for any such violation. In the event the property on which the violation occurs is occupied by a tenant subject to a rental agreement, the owner, occupier or tenant may be deemed personally amenable to the provisions of this Ordinance subject to citation and fine hereunder for any such violation.

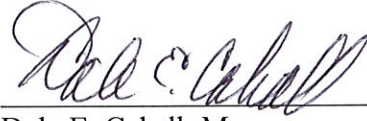
SECTION 8. Enforcement of this Ordinance shall be vested in the Village Administrator, the Village Zoning Administrator, or their designee. Any person charged with violating this Ordinance shall be served a notice of such violation by certified mail return-receipt accepted by the Mayor's Court Clerk. If the Mayor's Court Clerk is not able to obtain service by certified mail, they may utilize personal service with a designated process server. Violators will be summonsed for such violation to the Georgetown Mayor's Court for any such violation and shall be subject to the appeals process thereof.

SECTION 9. This Ordinance shall repeal and replace Ordinance No. 1077 in its entirety.

SECTION 10. That the Council hereby finds and determines that all formal actions relative to the passage of this Ordinance were taken in an open meeting of the Council, and that all deliberations of this Council and of its Committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 11. This Ordinance shall be in full force and effect from and after the earliest date allowed by law.

PASSED AND ADOPTED at a legally convened meeting of Council held on the 9th day of August, 2018.



Dale E. Cahall, Mayor

ATTEST:



Natalie K.R. Newberry, Fiscal Officer

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