

VILLAGE OF PLEASANT HILL, OHIO

ORDINANCE 949

AN ORDINANCE RESTRICTING UNLICENSED AND JUNK
MOTOR VEHICLES ON PRIVATE PROPERTY WITH
PERMISSION OF OWNER; NOTICE OF REMOVAL AND IMPOUNDING
IN THE VILLAGE OF PLEASANT HILL

WHEREAS, the Village Council finds and declares that previous ordinance regulating Junk Motor Vehicles is inadequate in Pleasant Hill; and

WHEREAS, the Village Council finds that adopting an ordinance is in the best interests of the public health, safety and welfare of the citizens of Pleasant Hill; and

NOW, THEREFORE BE IT ORDAINED by the council of the Village of Pleasant Hill, a majority of the members elected or appointed thereto concurring.

SECTION ONE: Purpose. In enacting this section, Council finds and declares that the accumulation and storage of unlicensed, abandoned, wrecked, junked, partially dismantled or inoperative motor vehicles, on private property, which motor vehicles are in the nature of rubbish or unsightly debris, violates regulations of the Village and constitutes a nuisance detrimental to the health, safety and welfare of the community in that such conditions tend to interfere with the enjoyment of and reduce the value of private property, invite plundering, create fire hazards and other safety and health hazards to minors as well as adults, interfere with the comfort and well being of the public and create, extend and aggravate urban blight, and that the public health, safety and general welfare require that such conditions be regulated, abated, and prohibited.

SECTION TWO: Storage on Private Property.

(a) No person shall park, store or leave, or permit the parking or storing of any unlicensed motor vehicle or any vehicle in a wrecked, junked, partially dismantled, inoperative or abandoned condition, whether attended or not, for a period of five (5) calendar days upon any private property within the Village, unless it is in connection with a business enterprise operated in a lawful place and manner and licensed as such, when necessary to the operation of the business enterprise, or it is a collector's vehicle, pursuant to Ohio R.C. 4501.01 (f)

(b) For the purposes of this section, a motor vehicle shall be deemed to be in wrecked or junk condition if any of the following apply:

1. The vehicle is extremely damaged, including but not limited to any of the following: Missing tires, wheels, motors or transmissions, or
2. The vehicle is apparently inoperable
3. The vehicle is unlicensed
4. The vehicle is deemed to be detrimental to the aesthetics of the neighborhood.

(c) Whoever violates this section is guilty of a misdemeanor of the third degree.

SECTION THREE: Removal Required. The accumulation and storage of one or more such motor vehicles in violation of the provisions of this section shall constitute rubbish and unsightly debris, and shall constitute a nuisance detrimental to the health, safety and general welfare of the inhabitants of the Village. It shall be the duty of the owner of such vehicle, and it shall be the duty of the person in charge or control of the private property upon which such motor vehicle is located, whether owner, tenant, occupant, lessee, or otherwise, to remove the same to a place of lawful storage, or to have the motor vehicle housed within a building where it will not be visible from the street.

SECTION FOUR: Notice to Remove. Whenever there are reasonable grounds to believe that a violation of the provisions of this section exists, the Chief of Police or Mayor, shall give or cause to be given, a written notice to the registered owner of any motor vehicle which is in violation of this section, or to the owner or person in lawful possession or control of the private property upon which such motor vehicle is located, whether owner, tenant, occupant, lessee, or otherwise, to remove the same to a place of lawful storage, or to have the motor vehicle housed within a building where it will not be visible from the street.

SECTION FIVE: Removal by Village. If the registered owner of any motor vehicle which is in violation of this section, or the owner or person in lawful possession or control of the private property upon which the same is located, fails, neglects, or refuses to remove or house such abandoned, wrecked, junked, partially dismantled or inoperative motor vehicle in accordance with the notice given pursuant to the provisions of this section, the Chief of Police or Mayor may remove and dispose of such motor vehicle.

SECTION SIX: Right of Entry. The Chief of Police or Mayor, and any contracting agent of the Village, and employee of such contracting agent, and authorized officer are hereby expressly authorized to enter upon private property for the purpose of enforcing the provisions of the Ordinance. No person shall interfere, hinder, or refuse to allow them to enter upon private property for such purposes and to remove any motor vehicle in accordance with the provisions of the section. Any person to whom notice was given shall have the right to remove or house such motor vehicle in accordance with such notice at his own expense at any time prior to the arrival of the Chief of Police or Mayor, for the purpose of removal.

SECTION SEVEN: Whoever violates this section is guilty of a minor misdemeanor. Each day on which a violation occurs or continues shall be deemed a separate violation. Ordinance 941 is hereby repealed.

SECTION EIGHT: This ordinance shall take affect and be enforced from and after the earliest period allowed by law.

PASSED:

Approved as to form:

Paul Wagner, Solicitor

Mary Stanforth, Clerk-Treasurer

Gary Johnston, Mayor

Georgiana Weaver, President of Council

Passed September 4, 2001

This is to certify that this Ordinance in the form above, was posted in five (5) Public posting places within the Village of Pleasant Hill, Ohio for a period of fifteen (15) days after the passage of said Ordinance by the Council of the village of Pleasant Hill, Ohio.

Post Office, Covington Savings and Loan Assn., Village Sunoco Library, Village Council Room.