

## VILLAGE OF PLEASANT HILL, OHIO

### ORDINANCE 1057

#### AN ORDINANCE RESTRICTING UNLICENCED 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 adequate ordinance is in the best interests of the public health, safety and welfare of the citizens of Pleasant Hill;

NOW, THEREFORE BE IT ORDAINED by the council of the Village of Pleasant Hill, three fourths 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 agent

appointed by the Mayor, and employee of such appointed 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.

SECTION EIGHT: Ordinance 949 is hereby repealed.

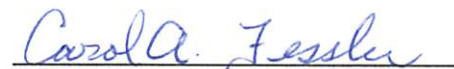
SECTION NINE: That this Ordinance be and is hereby declared to be an emergency measure for the immediate preservation of the health, welfare, and safety of the citizens of the Village of Pleasant Hill, Ohio for the reason that said Ordinance will deter the current nuisances created by unlicensed and junk motor vehicles within the Village limits of Pleasant Hill and therefore, this Ordinance shall take effect immediately upon its passage.

PASSED THIS 10 DAY OF May 2010

Approved as to form:

  
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Paul Wagner, Solicitor

  
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Mayor

  
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Fiscal Officer