

**VILLAGE OF PLEASANT HILL, OHIO**

**ORDINANCE NO. 1073**

**AN ORDINANCE RELATING TO THE TRIMMING OF TREES, SHRUBBERY,  
WEEDS AND GRASS AND REPEALING ORDINANCE NO. 1009**

**WHEREAS**, the Village Council of the Village of Pleasant Hill, Miami County, Ohio desires to modify Ordinance 1009, Relating to the Trimming of Trees, Shrubbery, Weeds, and Grass; to clarify the ordinance;

**WHEREAS**, the Village Council of the Village of Pleasant Hill, Miami County, Ohio desires to modify said Ordinance for a more uniform enforcement;

**NOW THEREFORE, BE IT ORDAINED, BY THE COUNCIL OF THE VILLAGE OF PLEASANT HILL, MIAMI COUNTY, OHIO AT LEAST THREE FOURTHS OF ITS MEMBERS ELECTED OR APPOINTED THERETO CONCURRING:**

**SECTION ONE:** That Ordinance No. 1009 shall be revised as follows:

- (a)** Any person owning or having control of land within the Village shall keep the land clear of tall or noxious weeds and/or grass. The person shall be required to keep the weeds and/or grass less than seven (7) inches tall.
- (b)** All trees shall be trimmed so as to have a clear height of 10 feet above the surface of the sidewalks and 12 feet above the surface of the street or roadway, and the branches of all trees in front and along lots or lands near where street lights are placed shall be trimmed so as not to obstruct the free passage of light from said street lights to the street and sidewalk.
- (c)** Written notice of the violation of this section shall be served upon the person owning or having control of such land notifying the person owning or having control of such land of the violation. The noxious weeds and/or grass notice shall inform the person owning or having control of such land that they are in violation of this ordinance and any noxious weeds and/or grass must be cut within 5 days after service of the notice. The trees or shrubbery notice shall inform the person owning or having control of such land that they are in violation of this ordinance and the trees and shrubbery must be trimmed within 15 days after service of the notice.
- (d)** If the owner, lessee, tenant, occupant, or person or persons having care of or in control of such land is a nonresident of the Village of Pleasant

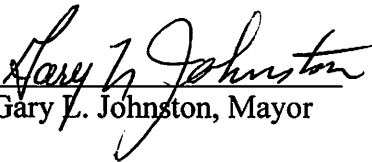
Hill whose address is known, the notice shall be sent to such person's address by certified mail. Further, it is sufficient to post a notice in a conspicuous place on said premises or to publish such notice once in a newspaper of general circulation in the county.

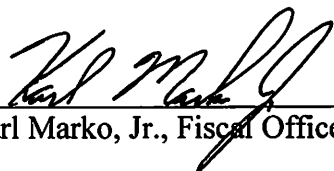
- (e) Thereafter, if the owner, or other person or persons having care of or in control of such land or premises fails to maintain such land or premises in accordance with this section, within the same calendar year, then the Village shall be permitted to abate the nuisance or to issue a subsequent complaint or citation to the offender, without the serving of a subsequent notice as set forth in this ordinance.
- (f) The person owning or having control of the lands of this section who fails to comply with this ordinance within the time provided in paragraph (c) of this section is guilty of a minor misdemeanor for each day of violation.
- (g) After, any person fails to comply with this Ordinance, the Village may cause such noxious weeds and grass, trees or shrubbery to be cut and destroyed and may employ labor to perform the task. After such work is performed, the Village shall give five (5) days' notice by regular mail to the person owning or having control of such land or premises, to pay the cost of such cutting or destroying of the noxious weeds or grasses, which notice shall be accompanied by a statement of the amount of cost incurred. If the same is not paid within thirty (30) days after the mailing of the notice, such amount may be certified to the Miami County Auditor for collection as other taxes and assessments are collected in accordance with Ohio Revised Code 731.54.
- (h) When it is deemed necessary to cut and destroy noxious weeds or grasses, trees or shrubbery on private property, in accordance with the provisions of this section, the person owning or having control of the land or premises shall be charged at the rate of one hundred dollars (\$100.00) per hour or portion thereof, or the actual cost of such work, whichever is the larger. Actual costs shall include administration and supervision, transportation of equipment, equipment use, equipment operator, incidental labor, contractor charges, and any other costs and charges associated with mailing and/or publishing notices. The minimum charge therefore shall be one hundred (\$100.00).
- (i) This ordinance does not apply to land being used under a municipal building or construction permit or license, during the applicable period of such permit or license, or under a conditional zoning permit or variance lawfully granted.

**SECTION TWO:** That Ordinance No. 1009 is hereby repealed.

**SECTION THREE:** 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, Miami County, Ohio, and to make this Ordinance effective for the upcoming Spring and Summer seasons, therefore, this Ordinance shall take effect immediately upon its passage.

PASSED this 14th day of May 2012

  
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Gary L. Johnston, Mayor

  
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Karl Marko, Jr., Fiscal Officer