

VILLAGE OF PLEASANT HILL, OHIO

ORDINANCE NO. 1080

**AN ORDINANCE ESTABLISHING A PENALTY FOR THE VIOLATION OF
VILLAGE OF PLEASANT HILL SUBDIVISION REGULATIONS**

WHEREAS, The Village of Pleasant Hill, Miami County, Ohio adopted Subdivision Regulations with the passage of Ordinance No. 1007 on November 1, 2005;

WHEREAS, Section 1124.05, Penalties, of the Village of Pleasant Hill Subdivision Regulations does not list any penalties and;

WHEREAS, The current Subdivision Regulations as adopted by Ordinance 1007 cannot be enforced without a penalty.

NOW THEREFORE, BE IT ORDAINED, BY THE COUNCIL OF THE VILLAGE OF PLEASANT HILL, MIAMI COUNTY, OHIO:

SECTION ONE: Section 1124.05, Penalties, of the Village of Pleasant Hill Subdivision Regulations is replaced in its entirety with the following:

Section 1124.05 (A) Violation

Whenever a violation of this Subdivision Regulation occurs, or is alleged to have occurred, any person may file a written complaint to the, Mayor. Such complaint shall state the cause or basis of the violation. The Mayor shall record the complaint, promptly investigate it and take the necessary action to resolve the violation.

In addition, any person can pursue the other remedies by law to initiate appropriate action or proceedings to prevent, restrain, correct or abate such violation.

Section 1124.05 (B) Notices of Violation

1. Whenever it has been determined that there is a violation of any provisions of the Subdivision Regulations, a notice of such violation shall be issued and:
 - a. Be in writing;
 - b. Identify the violation;
 - c. Include a statement of the reason or reasons why it is being issued and refer to the section of the Subdivision Regulations being violated; and
 - d. State the time by which the violation shall be corrected.
2. Service of notice of the violation shall be as follows:
 - a. By personal delivery to the person or persons responsible or by leaving the notice at the usual place of residence of the person to be served with a person of suitable age and discretion then residing therein.

- b. By Certified Mail, addressed to the property owner of record on the County Auditor's records. Service shall be deemed complete when the return receipt is received.
- c. By posting a copy of the notice form in a conspicuous place on the premises found in violation.

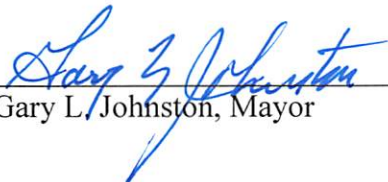
Section 1124.05 (C) Prohibitions

1. No person shall fail or refuse to comply with an order issued by the Mayor. A separate offense shall be deemed committed each day upon which a violation occurs or continues.

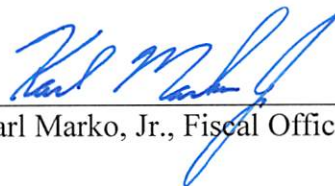
Section 1124.05 (D) Penalties

1. Whosoever violates the Subdivision Regulations is guilty of a minor misdemeanor for each offense.

PASSED this 11th day of February 2013



Gary L. Johnston, Mayor



Karl Marko, Jr., Fiscal Officer