

VILLAGE OF PLEASANT HILL, OHIO

ORDINANCE NO. 1094

**AN ORDINANCE FOR EXTERIOR PROPERTY MAINTENANCE AND THE
RESCINDING OF ORDINANCE NO. 990**

1. **SCOPE:** This ordinance is strictly limited to the establishment of minimum standards for the maintenance of the exterior of all structures and buildings within the Village of Pleasant Hill including yard areas immediately contiguous thereto.
2. **APPLICABILITY:** Every residential, nonresidential or mixed occupancy building and the land, on which it is situated, used or intended to be used for dwelling, commercial business or industrial occupancy shall be in compliance with the provisions of this ordinance, whether or not such building shall have been constructed, altered or repaired before or after the enactment of this ordinance. This ordinance establishes minimum standards for the initial and continued occupancy and use of all such structures and does not replace or modify standards otherwise established for the construction, repair, alteration or use of the building. Where there is mixed occupancy, residential or nonresidential use therein shall be nevertheless regulated by and subject to the provisions of this ordinance.
3. **CONFLICT OF LAWS:** In any case where a provision of this ordinance imposes a higher standard than that set forth in any other ordinance by the Village or law of the State of Ohio, then the standard set forth herein shall prevail, but if a provision of this ordinance imposes a lower standard than that imposed by any other ordinance of the Village or law of the State of Ohio, then the higher standard contained in any such other ordinance or law shall prevail.
4. **ENFORCEMENT:** The enforcement of any and all provisions of this ordinance is placed with the Mayor together with such additional Village Officials as appointed by the Mayor.
5. **INSPECTION:** All buildings and premises within the Village are subject to exterior inspections from time to time by the Mayor or other Village Officials.
6. **NOTICE:** Where a violation of any of the provisions of this ordinance is found to exist, the Mayor or other Village Officials shall cause a written notice to be served the person responsible for the correction thereof. The notice shall specify the violation committed and shall provide for a reasonable period of time to remedy the violation not to exceed sixty (60) days. A violation of Section 12, Yard Area Maintenance, shall be corrected or abated within fifteen (15) days. In the event other factors occur in correcting or abating a violation, the Mayor or other Village Officials may extend the time set out herein. Notice may be served personally or by certified mail addressed to the last known address of the person to be served or by leaving a copy thereof at the usual residence of the person to be served. If the last known address

cannot be ascertained, the notice shall be posted on the outside front entrance of the structure in alleged violation.

In the absence of an appeal, as provided below, the completion of notice, and failure to comply, shall constitute a Final Order as to these administrative proceedings.

7. **APPEAL:** Within ten (10) days of the date of service of notice, any person affected by the notice may request a hearing thereon before the Village Council by filing a written request with the Village Fiscal Officer. The Village Fiscal Officer, upon receipt of the request, shall, within sixty (60) days set the matter for hearing and give the affected party a minimum of five (5) days notice.
8. **MAINTENANCE RESPONSIBILITY:** The owner and manager of every single or multiple unit structure within the Village shall be responsible for maintaining the exterior surfaces of the same in conformance with the provisions of this Ordinance.

The owner and manager of every multiple unit structure within the Village shall be responsible for maintaining the yard area contiguous thereto in conformance with the provisions of this Ordinance.

The owner, manager and any adult resident of a single dwelling structure within the Village shall be responsible for maintaining the yard area immediately contiguous thereto in conformance with the provisions of Section 12 of this Ordinance.

Unless expressly provided to the contrary in this Ordinance, the respective obligations and responsibilities imposed herein upon the owner and manager, as differentiates from those of the residents, shall not be altered or affected by an agreement or contract by and between any of the aforesaid, or between them and other parties.

9. **GENERAL EXTERIOR MAINTENANCE REQUIREMENTS:** The exterior surfaces of all structures within the Village; whether functional or esthetic shall be maintained in good repair. Any exterior part or feature thereof having functional use shall be capable of performing the use for which such part or feature was designed.
10. **EXTERIOR SURFACES:** All exterior surfaces of every structure within the Village shall be maintained so as to resist decay or deterioration from any naturally-occurring cause. All exterior surfaces shall be covered with paint, finish or other surface coating so as to prevent such decay or deterioration. An exterior wall segment, facing or other distinguishable surface area determined by the Village to have more than twenty-five percent (25%) of its total area bare, peeling, flaking, pitted, corroded, or otherwise deteriorated shall be surface coated in its entirety. If the surface to be coated is a portion of a larger structure, such surface coating shall be compatible in color, texture and design with the entire structure. If the entire exterior surface of a structure is to be surface-coated, such surface coating shall be compatible in color, texture and design with similar structures in the immediate neighborhood. All deteriorated or decayed exterior walls, doors, porches, floors, steps, railing, or parts or features thereof, shall be repaired or replaced.

All damaged or broken windows, and deteriorated or decayed sill, sash, molding, lintel, frame or trim thereof shall be repaired or replaced.

- 11. ROOFS, GUTTERS, DOWNSPOUTS AND CHIMNEYS:** The roof of every structure within the Village shall be maintained weather-tight. All missing shingles, or other roofing materials, shall be replaced with materials of similar kind, nature, design and color as the original thereof. Any roof, or distinguishable portion thereof determined by the Village to have more than twenty-five percent (25%) of its total area comprised of missing or deteriorated shingles, or other roofing material, shall be replaced in its entirety.

Any structure within the Village having gutters and/or downspouts in place shall be maintained in such a manner as to keep such gutters and/or downspouts free of exterior rust and corrosion. Such rust and corrosion as may develop in the course of ordinary use of the same shall be removed, painted or otherwise surface-coated so as to keep such gutters and/or downspouts free of visible rust or corrosion.

Gutters and downspouts shall be installed on all new dwelling units and buildings. All gutters and downspouts shall be kept in good repair. The downspouts shall conduct rainwater in a manner so as to protect the wall and foundation of the building and not create a nuisance or damage to any adjacent property, public or private. No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof runoff, or subsurface drainage from sump pumps or downspouts to any sanitary sewer.

- 12. YARD AREA MAINTENANCE:** The yard area contiguous to all structures within the Village, and extending up to and including the lot line in all directions shall be maintained in a safe, clean and sanitary condition.

No furniture, mattresses, household furnishings, rugs, appliances, or automobile parts shall be placed or stored in any yard area contiguous to any structure within the Village over a period exceeding of twenty-four (24) hours, provided however, that such of the items are set forth herein which are usually and ordinarily placed for municipal refuse hauling may be so placed for a period of time not to exceed the next regularly scheduled municipal refuse hauling date.

All trees, shrubs, plants and grass shall be maintained in conformance with Ordinance No. 1009.

- 13. APPURTENT STRUCTURES:** All structures located in the yard area contiguous to any residential and commercial structure within the Village, such as sheds, barns, garages, bins and the like, shall be maintained in good repair in conformance with other provisions of this Ordinance having regard to roofs and exterior surfaces. Any broken, deteriorated or decayed fence, yard enclosure or other device or structure located in the yard area contiguous to any residential or commercial structure within the Village shall be repaired or removed.

14. **ABANDONED STRUCTURES AND UNOCCUPIED LOTS:** If any structure shall become abandoned, such structure shall be presumed to be a nuisance affecting or endangering surrounding property values and to be detrimental to the public health, safety, convenience, comfort or general welfare of the community and shall be abated. A structure shall be presumed abandoned if it has not been used or occupied for the purpose it was intended for a period of one year.


Whenever the Mayor or other Village Officials shall find any structure to be abandoned within the meaning of this Ordinance, notice shall be given in the same manner as service of summons in civil cases or by certified mail addressed to the owner of record of the premises at the last address or to the address to which tax bills are sent, or by a combination of the foregoing methods, to abate such abandoned condition with sixty (60) days either by placing the structure in operation in accordance with this Ordinance, adapting and using the structure for another use permitted in the Zoning District.

Upon the failure, neglect or refusal of any owner to comply with the notice to abate such abandonment, the Mayor or other Village Officials shall advise the Village Solicitor of all the facts and the Village Solicitor shall proceed to exercise on behalf of the Village any remedy which shall then be available to it to secure an abatement of such abandonment, including any that pertains to the abatement of a public nuisance, and to recover any damages or enforce any penalties that may be recovered or imposed at the instance of the Village.


Unoccupied or inoperative structures, whether or not abandoned, the lot upon which any such structure is located, with any other unoccupied lot, shall be maintained in accordance with the provisions of this Ordinance. Any such lot shall be provided with grass or other appropriate ground cover or landscaping material so as to assure absorption of rainfall and prevent erosion and rapid run-off of surface water. The owner shall cut and maintain all grass or other ground cover and remove all rubbish and weeds from the premises.

15. **PENALTY:** Sixty (60) days after notice of the violation is served and the violation cited in the notice has not been appropriately remedied, the owner, manager, person, or entity cited in the notice may be issued a subsequent citation. Each day thereafter shall constitute a separate violation. Each offense cited shall be served in accordance with the provisions of this Ordinance. Each violation of this Ordinance shall be a Misdemeanor of the Fourth Degree as defined in the Ohio Revised Code.

PASSED this 8th day of June 2015



Gary L. Johnston, Mayor



Karl Marko, Jr., Fiscal Officer