ORDINANCE NO. 22-117   OFFERED BY: MAYOR ANZEVINO

AN ORDINANCE AMENDING CHAPTER 1480, "INTERNATIONAL PROPERTY MAINTENANCE CODE" OF THE CODIFIED ORDINANCES OF THE CITY OF HUDSON REGARDING ABATEMNT OF WEEDS OR TALL GRASSES.

WHEREAS, the City's existing property maintenance regulations stipulate that the owner, occupant, or person having the charge or management of any lot or parcel in a platted and improved subdivision that contains noxious weeds or tall grasses must abate said conditions upon five days notice from the City; and

WHEREAS, if the owner, occupant, or person having the charge or management of any lot or parcel in a platted and improved subdivision fails to timely abate the above described noxious weeds and/or tall grasses, then the City is authorized to enter on to the lot or parcel and cut or destroy such noxious weeds and/or tall grasses; and

WHEREAS, when the City enters on to a lot or parcel to cut or destroy any noxious weeds or tall grasses, the City is further authorized to bill the costs of such cutting or destruction to the owner, occupant, or person having the charge or management of the lot or parcel and if the same is not paid within thirty days, then such amount may be certified to the County Fiscal Officer for collection as other taxes and assessments are collected (or the City may seek recovery of such costs by civil action); and

WHEREAS, Code Enforcement and Community Development Staff have identified that the current property maintenance regulations concerning noxious weeds and tall grasses only apply to parcels or lots in a platted and improved subdivision within the City and, therefore, do not apply to all parcels and lots uniformly within the City; and

WHEREAS, Code Enforcement and Community Development Staff have recommended that Section 1480.04(g) of the Codified Ordinances be amended in order to provide for uniform, city-wide application of the City's property maintenance code concerning the abatement of noxious weeds and tall grasses on all parcels and lots within the City's corporate boundaries; and

WHEREAS, this Council finds and concludes that it is in the best interest of the health, safety and welfare of the City to amend the Codified Ordinances of the City of Hudson as set forth herein for the purposes described above.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Hudson, County of Summit, State of Ohio, that:

Section 1.   Chapter 1480, "International Property Maintenance Code," of the Codified Ordinances of the City of Hudson is hereby amended in part to read as follows:

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1480.04 **ADDITIONAL PROVISIONS; PUBLIC NUISANCES; WEEDS OR TALL GRASS**.

<center>***</center>

(g) <u>Removal of Weeds or Tall Grass</u>.

(1) The owner, occupant or person having the charge or management of any ~~lot or parcel of land situated in a platted and improved subdivision within the City, whether the same be vacant or occupied~~, **of the following whether the same be vacant or occupied:**
  a. **developed or improved parcel**
  b. **parcel situated in a platted and improved subdivision**
  c. **land within any public right of way. The City Manager may request an additional distance back from the right of way if it is determined necessary to address a sightline issue.**
within five days of written or oral notice to do so, shall cut or destroy, or cause to be cut or destroyed, any noxious or poisonous weeds or tall grasses growing upon such lot or parcel of land, and prevent the same from blooming or going to seed, exceeding a height of eight inches, or spreading pollen which may be harmful to human health.

(2) If the owner, occupant or person having the charge or management of any lot or parcel of land **referenced in 1480.04(g)(1)** ~~in a platted and improved subdivision~~ does not cut or destroy, or cause to be cut or destroyed, noxious weeds or tall grasses as provided herein, the City Manager, or the City Manager's designee, is authorized to cause to be cut or destroyed such noxious weeds or tall grasses.

(3) When any such noxious weeds or tall grasses are cut or destroyed by the City, as provided herein, then after such work is performed, the City shall give five days' notice by regular mail to the owner, occupant or person having the charge or management of such lot or parcel of land, at his or her known address, to pay the cost of such cutting or destroying of noxious weeds or tall grasses, which notice shall be accompanied by a statement of the amount of cost incurred. If the same is not paid within thirty days after the mailing of the notice, such amount may be certified to the County Fiscal Officer for collection as other taxes and assessments are collected or the City may seek recovery of such costs by civil action against the property owner involved.

(4) When it is deemed necessary to cut and destroy weeds or tall grasses on private property, in accordance with the provisions of this section, the owner shall be charged at the rate of seventy-five dollars ($75.00) per hour or portion thereof, or the actual cost of such work, whichever is the larger. The minimum charge therefor shall be seventy-five dollars ($75.00).

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Section 2.   Chapter 1480, "International Property Maintenance Code" of the Codified Ordinances of the City of Hudson to the extent not amended by this Ordinance shall remain in full force and effect.

Section 3.   It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, or otherwise in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 4.   This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _____
                                                Jeffrey L. Anzevino, Mayor

ATTEST:

_____
Aparna Wheeler, Clerk of Council

       I certify that the foregoing Ordinance No. 22-117 was duly passed by the Council of said Municipality on _____ .

                                                _____
                                                Aparna Wheeler, Clerk of Council

First Reading:
Second Reading:
Third Reading: