

ORDINANCE NO. 78-20

**AN ORDINANCE DETERMINING WHAT ARE NUISANCES
AND PROVIDING FOR ABOLISHING SAME**

BE IT ORDAINED, by the Council of the Village of Versailles, State of Ohio:

SECTION ONE: That all brush, rubbish, litter or waste products or materials, accumulating or lying upon any premises within the Village, and all weeds growing wild or uncultivated upon any premises which may cause noxious odors or which may spread to other premises or which may be detrimental to the welfare of the Village and its inhabitants and which may be offensive or injurious are hereby determined and declared to be a nuisance.

SECTION TWO: No person shall within the limits of the Village of Versailles, maintain any building, structure or place for the exercise of any trade, employment, use or business, or for the keeping or feeding of any animal, which by causing noxious odors or smells, becomes injurious to the health, comfort or property of individuals or the public; nor shall any company, corporation or person owning or occupying any premises within the limits of the Village, throw or deposit, burn or permit to be thrown or deposited or burned, any trash, rubbish or refuse of any kind or any other offensive substance, which may become a nuisance, upon or in any place within the Village, thereby rendering the same injurious, filthy or offensive.

SECTION THREE: That a nuisance shall exist when there is caused or suffered any placing, throwing, or sweeping into any street, alley, park, or public ground or lot of land, any dirt, paper, nails, pieces of glass or board, fruit parings or skins, garbage, waste, leaves or clippings, ashes, cans, bottles, cartons, boxes, furniture, oil, parts of automobiles or any other matter of an unsightly or unsanitary nature, or there is caused or suffered any placing, throwing, or sweeping such matter upon any sidewalk, or street crossing, or on any driveway, or upon the floor, stairway, or hallway of any public building, lot of land; or

There is caused or suffered any accumulation of any paper, fruit parings or skins, garbage, waste, ashes, cartons, boxes or any other matter of an unsightly or unsanitary nature in such manner could be blown unto any street, avenue, alley, park, public ground, sidewalk, or lot of land; or

A person, firm or corporation keeps, stores, places, or allows to remain, unlicensed motor vehicles, motor vehicles in an inoperative condition, motor vehicles unfit for further use, automobile or motor vehicle parts on any parcel of land, street or alley, within the corporate limits of the Village of Versailles.

A) “Motor vehicle in any inoperative condition” means and includes any style or type of motor driven vehicle used or useful for the conveyance of persons or property which is unable to move under its own power due to defective or missing parts and which has remained in such condition for a period in excess of ten consecutive days.

B) “Motor vehicle unfit for further use” means and includes any style or type of motor driven vehicle used for the conveyance of persons or property which is in a dangerous condition, has defective or missing parts or is in such a condition generally as to be unfit for further use as a conveyance.

C) “Automobile and motor vehicle parts” shall mean and include any portion or parts of any motor driven vehicle as detached from the vehicle as a whole.

SECTION FOUR: Whenever complaint is made to the Mayor or any duly elected or appointed official of the Village of Versailles, Ohio, of the existence of a nuisance as defined in this ordinance, Section Three, the Mayor shall promptly inspect or cause to be inspected the place or premises on which it is alleged such nuisance exists. Should the Mayor (or the Chief of Police, whom the Mayor may delegate to do the inspecting), find that a nuisance does exist, he shall promptly notify the Chief of Police, and the Chief of Police shall then promptly deliver a written notice setting forth the nuisance to the owner of the premises, person, firm, or corporation, giving said person five (5) days or fourteen (14) days in the case of motor vehicles, in which to correct the condition. A copy of said notice shall be left with the person in charge or possession of the premises if appropriate.

SECTION FIVE: Any person, firm or corporation, who, being unable to do so, shall neglect or refuse to obey an order issued by the Chief of Police in regard to this ordinance, shall be guilty of a misdemeanor of the fourth degree, and upon conviction thereof, shall be fined not more than \$250.00 for each offense. Each and every day after the time specified in any notice provided for herein that such a nuisance shall be permitted to exist shall be deemed a separate and distinct offense hereunder: failure by the person, firm or corporation to correct the nuisance within the time specified, shall result in abatement by the Village, the costs of which shall be charged to the person, firm or corporation, such costs to be collected by civil suit.

SECTION SIX: The notice issued by the Chief of Police shall be as follows:

NOTICE OF EXISTENCE OF NUISANCE

To: _____

You are hereby notified that a nuisance exists on the following described property: (street address and lot and description)

_____ which under the terms of Ordinance No. _____ constitutes a nuisance. You are directed under the terms of said Ordinance to correct this condition within 5-14 (cross out inappropriate number) days or the Village will do so and charge you with the cost thereof.

You are further advised that failure to correct this condition within the time specified can result in criminal charges being filed against you, the maximum fine for which is \$ _____, each day being considered a separate offense.

BY ORDER OF

Mayor, Village of Versailles, Ohio

SERVICE:

Received this notice _____ and on _____
_____, I delivered the same to _____ named therein and
to _____ (If appropriate).

CHIEF OF POLICE

By _____

THIS ORDINANCE is hereby declared an emergency measure necessary for the health, safety and welfare of the residents of said Village and shall take effect and be in force from and after the earliest period permitted by law.

PASSED, this 27th day of March, 1978.

Cyril W. Ploch
Mayor

ATTEST:

Donna Lou Bey
Clerk

APPROVED AS TO FORM:

Michael D. McClurg
Solicitor

