

2009-24 NK

August 18, 2009

RECORD OF RESOLUTION

**RESOLUTION DIRECTING THE OWNER OF PROPERTY LOCATED AT
8 FUNSTON, GREENHILLS, OHIO
TO REMOVE NOXIOUS WEEDS AND GRASS, AND AUTHORIZING THE MUNICIPAL MANAGER TO CAUSE
REMOVAL OF SUCH UNLAWFUL CONDITION IF SAID OWNER FAILS TO DO SO WITHIN FIVE DAYS OF NOTICE
AND
DECLARING AN EMERGENCY**

WHEREAS, Section 553.04 of the Village of Greenhills Zoning Code states that all offensive, unwholesome and noxious weeds, vines and grasses existing upon any lot or parcel of land in a residence or business district bounding, bordering or abutting upon any street, square, area or public place are hereby declared a public nuisance; and

WHEREAS, Section 553.04 further states that all weeds or grass in excess of ten inches in height are a nuisance; and

WHEREAS, the Village Building Official has identified that the property located at 8 Funston, in the Village of Greenhills is in violation of section 553.04 of the Village Code and is, therefore, a nuisance; and

WHEREAS, the Village Building Official has measured noxious weeds and grass on said property to be sixteen (16) inches high in the front yard, sixteen (16) inches high in the side yard, and sixteen (16) inches high in the rear yard; and

WHEREAS, the Council finds that it is in the best interests of the Village to seek removal of the unlawful condition,

NOW, THEREFORE, be it resolved by the Council for the Village of Greenhills, State of Ohio, as follows:

Section 1: That the Council of The Village of Greenhills, Ohio hereby directs that notice be personally served upon the owner of property located at, 8 Funston, Greenhills, Ohio, notifying said owner and purchaser of the specific unlawful conditions existing on the property.

Section 2: That the Council further directs that said notice shall specify that the property is in violation of Code Sections 553.04 and 553.05, and shall require removal of such unlawful conditions within five (5) days after receipt of such notice.

Section 3: That the Council further directs that the Village Building Official shall inspect said property upon expiration of the five (5) day time period, and shall notify the Municipal Manager of any remaining unlawful condition.

Section 4: That in the event that the Building Official finds that any unlawful condition identified in the notice remains in existence on the property after five (5) days, the Village Council hereby directs the Municipal Manager to cause the grass, noxious weeds, or other unlawful condition to be cut and destroyed. The Municipal Manager is hereby authorized to expend any funds necessary to remove the unlawful condition. All expenses incurred shall be paid out of any money in the Village treasury not otherwise appropriated.

Section 5: That the Village shall cause written notice of any such expenditure to be delivered to the County Auditor with a statement of the charges for services, the amount paid for performing of such labor, the fees of the officers who served and returned notice and a proper description of the property. The Village shall direct that such amounts be entered as a lien upon the land and collected as other taxes to be returned to the Village with the general fund.

Section 6: That the Clerk of Council is hereby directed to certify and deliver, or cause to be delivered, a copy of this Resolution to the property owner in addition to the notification provided above.

Section 7: That this ordinance is hereby declared to be an emergency ordinance which shall take effect immediately. The reason for said emergency is the need to preserve the safety, peace, health, and welfare of the community by providing adequate and safe road services.

PASSED THIS 18 DAY OF August 2009