

Record of Ordinance

Ordinance No.: 2023-36

Passed: June 26, 2023

AN ORDINANCE RELATING TO THE TRIMMING OF WEEDS AND GRASS

WHEREAS, the Village Council of the Village of West Lafayette, Coshocton County, Ohio desires to establish an Ordinance, Relating to the Trimming of Weeds, and Grass;

BE IT ORDAINED by the Council of the Village of West Lafayette, State of Ohio as follows:

SECTION ONE:

(A) Any person owning or having control of land within the Village shall keep the land clear of tall or noxious weeds and/or grass. The person shall be required to keep the weeds and/or grass less than seven (7) inches tall.

(B) Written notice of the violation of this section shall be served upon the person owning or having control of such land notifying the person owning or having control of such land of the violation. The noxious weeds and/or grass notice shall inform the person owning or having control of such land that they are in violation of this ordinance and any noxious weeds and/or grass must be cut within 5 days after service of the notice.

(C) If the owner, lessee, tenant, occupant, or person or persons having care of or in control of such land is a nonresident of the Village of West Lafayette whose address is known, the notice shall be sent to such person's address by certified mail. Further, it is sufficient to post a notice in a conspicuous place on said premises or to publish such notice once in a newspaper of general circulation in the county.

(D) Thereafter, if the owner, or other person or persons having care of or in control of such land or premises fails to maintain such land or premises in accordance with this section, within the same calendar year, then the Village shall be permitted to abate the nuisance or to issue a subsequent complaint or citation to the offender, without the serving of a subsequent notice as set forth in this ordinance.

(E) The person owning or having control of the lands of this section who fails to comply with this ordinance within the time provided in paragraph (B) of this section is guilty of a minor misdemeanor for each day of violation.

(F) The Village of West Lafayette shall cause an annual notice to be published in a newspaper of general circulation in the County notifying the residents of the requirements of this ordinance.

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(G) A Property Maintenance Inspector is created by this ordinance. The Property Maintenance Inspector may request other persons to assist him. The Mayor shall appoint an Inspector.

(H) After, any person fails to comply with this Ordinance, the Village may cause such noxious weeds and grass cut and removed and may employ labor to perform the task. After such work is performed, the Village shall give five (5) days' notice by regular mail to the person owning or having control of such land or premises, to pay the cost of such cutting or removal of the noxious weeds or grasses, which notice shall be accompanied by a statement of the amount of cost incurred. If the same is not paid within thirty (30) days after the mailing of the notice, such amount may be certified to the Coshocton County Auditor for collection as other taxes and assessments are collected in accordance with Ohio Revised Code 731.54.

(I) When it is deemed necessary to cut and remove noxious weeds or grasses on private property, in accordance with the provisions of this section, the person owning or having control of the land or premises shall be charged at the rate of one hundred dollars (\$100.00) per man hour worked or portion thereof, or the actual cost of such work, whichever is the larger. Actual costs shall include administration and supervision, transportation of equipment, equipment use, equipment operator, incidental labor, contractor charges, and any other costs and charges associated with mailing and/or publishing notices. The minimum charge for work done therefore shall be one hundred dollars (\$100.00). There will also be an Administrative fee of one hundred dollars (\$100.00) per occurrence.

(J) This ordinance does not apply to land being used under a municipal building or construction permit or license, during the applicable period of such permit or license, or under a conditional zoning permit or variance lawfully granted.

SECTION TWO:

This Ordinance shall also incorporate Exhibit A and Exhibit B as the new official notice to cut and notice of assessment forms.

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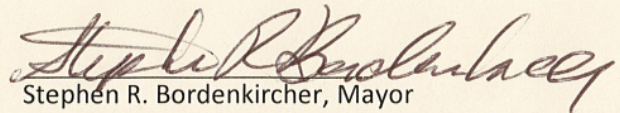
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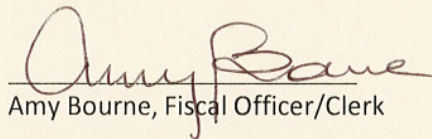
SECTION THREE:

That this Ordinance be and is hereby declared to be an emergency measure for the immediate preservation of the health, welfare, and safety of the citizens of the Village of West Lafayette, Coshocton County, Ohio, and to make this Ordinance effective for the current Spring and Summer seasons, therefore, this Ordinance shall take effect immediately upon its passage and signing by the Mayor.

Passed on this 26 day of June, 2023.

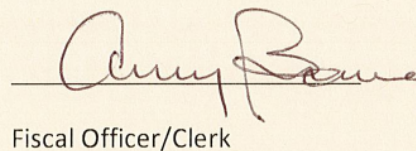

Stephen R. Bordenkircher, Mayor

ATTEST:


Amy Bourne, Fiscal Officer/Clerk

CERTIFICATE OF POSTING

I hereby certify that the foregoing Ordinance was posted according to law this 27th day of June, 2023.


Fiscal Officer/Clerk



Tammy J. Hicks
Village Administrator
113 East Railroad Street
West Lafayette, Ohio 43845
740-545-5434

villageadministrator@westlafayettevillage.com

**VILLAGE OF WEST LAFAYETTE
WRITTEN NOTICE OF
VIOLATION OF ORDINANCE NO. 2023-36 TRIMMING OF WEEDS AND GRASS**

POSTED ON PROPERTY and VIA Certified U.S. Mail

Date: , 2023

To: Owner and/or Current Resident

West Lafayette, Ohio 43845

Reference: Street Address, West Lafayette, Ohio
Coshocton County Parcel Number(s)

You are hereby notified that the property referenced above has been determined by the Administrator for the Village of West Lafayette to be in violation of Ordinance 2023-36, Section I (A) "*Any person owning or having control of land within the Village shall keep the land clear of tall or noxious weeds and/or grass.. The person shall be required to keep the weeds and /or grass **less than seven (7) inches tall.***"

YOU ARE HERBY DIRECTED TO ABATE THE ORDINANCE VIOLATION LISTED ABOVE WITHIN FIVE (5) DAYS OF THE DATE OF THIS WRITTEN NOTICE.

When it is deemed necessary to cut and remove noxious weeds, grass, brush, and other weeds on private property, in accordance with this Ordinance, the person owning the lands or being in charge of lands or premises; including but not limited to lessees, agents, or tenants shall be charged at the rate of one hundred dollars (\$100.00) per man hour worked or portion thereof, or the actual cost of the work, whichever is larger. Actual costs shall include administration and supervision, transportation of equipment, equipment use, equipment operation, incidental labor, contractor charges, and any other costs and charges associated with mailing and/or publishing the notices. The minimum charge therefore shall be one hundred dollars (\$100.00). There will also be an Administrative Fee of one hundred dollars (\$100.00) per occurrence.

Thank you,

Tammy J. Hicks
West Lafayette Village Administrator

Per Ordinance 2023-36, Trimming of Grass and Weeds, if payment has not been received within 30 days of the date of this invoice, it will be forwarded to the Coshocton County Auditor for assessment on your property taxes.



Bill To:

Parcels:

Please remit payment to:

Village of West Lafayette
 113 East Railroad Street
 P.O. Box 175
 West Lafayette, OH 43845

fiscalofficer@westlafayettevillage.com
 Phone: 740-545-6541

Date:
 Due:

Date	Address	Description of Work Performed	Total Man Hours	Rate Per Man Hour	Admin Fee	Total
			1	\$100.00	\$100.00	\$200.00
Total Balance Due						\$ 200.00