

Sponsor: *Peters / Biggs*

ORDINANCE NO. 77- 21

AN ORDINANCE REPEALING AND AMENDING THE CITY OF JACKSON'S CODIFIED ORDINANCE SECTION 557.01 GOVERNING WEED CONTROL.

WHEREAS, the legislative authority of the City of Jackson has published certain general and permanent ordinances in a volume of Codified Ordinances including section 557.01 governing weed control; and

WHEREAS, the legislative authority of the City of Jackson has determined it necessary to revise section 557.01 regarding weed control; and

NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE AUTHORITY OF THE POLITICAL SUBDIVISION OF THE CITY OF JACKSON, OHIO THAT SECTION 557.01 OF THE CODIFIED ORDINANCES OF THE CITY OF JACKSON BE REPEALED AND AMENDED REGARDING WEED CONTROL, AS SET FORTH BELOW, WITH THOSE STRUCK THROUGH PORTIONS BEING REMOVED AND REPLACED WITH THE UNDERLINED LANGUAGE SHOWING THE AMENDMENTS TO THE ORIGINAL LANGUAGE AND THAT EACH BE REPLACED WITHIN THE JACKSON CITY CODE, IN REGULAR TEXT.

557.01 REQUIRED CUTTING.

(a) Each person owning, leasing or having charge of land within the City shall keep the property free and clear of all high grass, high weeds and rank vegetation and shall cut all such high grass, high weeds and rank vegetation on the lots owned, leased or controlled by such person. ~~at least four times in every year, once between May 1 and May 10, once between June 1 and June 10, once between August 1 and August 10, and once between September 1 and September 10.~~ Property must be mowed and trimmed regularly as to maintain high grass, high weeds and rank vegetation to not exceed a maximum height of 12 inches. Property which is zoned in an agricultural district is exempt from these regulations if a crop is being produced or the land is being managed in a way to prevent high weeds and rank vegetation.

(b) Whoever violates this section is guilty of a minor misdemeanor for a first offense, and shall be fined up to one hundred fifty dollars (\$150.00) and community service. For each subsequent violation within one year from a previous conviction, the person shall be guilty of a fourth degree misdemeanor, punishable by up to thirty days in jail, a two hundred fifty dollar (\$250.00) fine, and community service.

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

PASSED AND ADOPTED by the Legislative Authority of the Political Subdivision on this 14th day of February 2022.



President of Council

ATTEST:



Clerk of the Legislative Authority

Approved this 14th day of February 2022.



Mayor

CHAPTER 557

Weed Control

- 557.01 Required cutting.**
- 557.02 Notice to cut.**
- 557.03 Fees for service and return.**
- 557.04 City may take action.**
- 557.05 Costs a lien.**
- 557.99 Penalty.**

CROSS REFERENCES

- Notice to cut noxious weeds - see Ohio R.C. 731.51 et seq.
- Destruction of weeds - see Ohio R.C. 971.33 et seq.

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(b) Whoever violates this section is guilty of a minor misdemeanor for a first offense, and shall be fined up to one hundred fifty dollars (\$150.00) and community service. For each subsequent violation within one year from a previous conviction, the person shall be guilty of a fourth degree misdemeanor, punishable by up to thirty days in jail, a two hundred fifty dollar (\$250.00) fine, and community service.
(Ord. 173-06. Passed 8-28-06.)

557.02 NOTICE TO CUT.

(a) Upon information that noxious weeds, high grass, high weeds and rank vegetation are growing on lands in the City, the Mayor or designated representative shall cause written notice to be served on the owner, lessee, or person having charge of the land that such noxious weeds, high grass, high weeds and rank vegetation are growing on such lands and that such noxious weeds, high grass, high weeds and rank vegetation must be mowed, cut and destroyed within five days of service of the notice. Service of the notice may be by personal service, residence service (leaving notice at the residence), or by certified mail. If the owner, lessee or person having charge of the land is a nonresident whose address is known, the notice may be sent to the person's address by registered mail. If the address of the owner, lessee or person having charge of the land is unknown, it shall be sufficient to leave the notice on the property in a conspicuous place.

(b) In the event the owner, lessee or person having charge of the land has, within the preceding year, received a notice to comply and has previously failed to mow, cut or destroy noxious weeds, high grass, high weeds and rank vegetation, then the City may/will immediately proceed to mow, cut and destroy the noxious weeds, high grass, high weeds and rank vegetation. The City shall notify the owner, lessee, or person in charge of the land, in the manner set forth above, that the City has or will be mowing, cutting and destroying the noxious weeds, high grass, high weeds and rank vegetation, and that the City will take steps in accordance with this chapter to recover its costs in mowing, cutting and destroying noxious weeds, high grass, high weeds and rank vegetation.
(Ord. 173-06. Passed 8-28-06.)

557.03 FEES FOR SERVICE AND RETURN.

A police officer or the Clerk of council, or any other person authorized by law, may make service and return of the notice provided for in Section 557.02. The person serving the notice shall be allowed the same fee as provided for service and return of summons in civil cases.
(Ord. 173-06. Passed 8-28-06.)

557.04 CITY MAY TAKE ACTION.

If the owner, lessee, or person having charge of the land fails to comply with the notice provided for in Section 557.02, the Mayor, or his designated representative, shall cause noxious weeds, high grass, high weeds and rank vegetation to be mowed, cut and destroyed. In the event the City takes action it may employ the necessary labor to perform the task. All expenses and labor costs incurred, shall be paid out of City funds not otherwise appropriated. The charge for the City mowing, cutting or destroying the noxious weeds, high grass, high weed and rank vegetation shall be no less than two hundred fifty dollars (\$250.00).

(Ord. 21-15. Passed 5-11-15.)

557.05 COSTS A LIEN.

The Mayor, or his designated representative, shall make a written return to the County Auditor of its action under Sections 557.02 to 557.04, with a statement of the charges for its services, the amount paid for labor, the fee of the person serving the notice, and a proper description of the premises. Such amounts, when allowed, shall be entered upon the tax duplicate and be a lien upon such lands from and after the date of entry and be collected as other taxes and returned to the City with the General Fund.

(Ord. 173-06. Passed 8-28-06.)

557.99 PENALTY.

Whoever violates this section is guilty of a minor misdemeanor for a first offense, and shall be fined up to one hundred fifty dollars (\$150.00) and community service. For each subsequent violation within one year from a previous conviction, the person shall be guilty of a fourth degree misdemeanor, punishable by up to thirty days in jail, a two hundred fifty dollar (\$250.00) fine, and community service.

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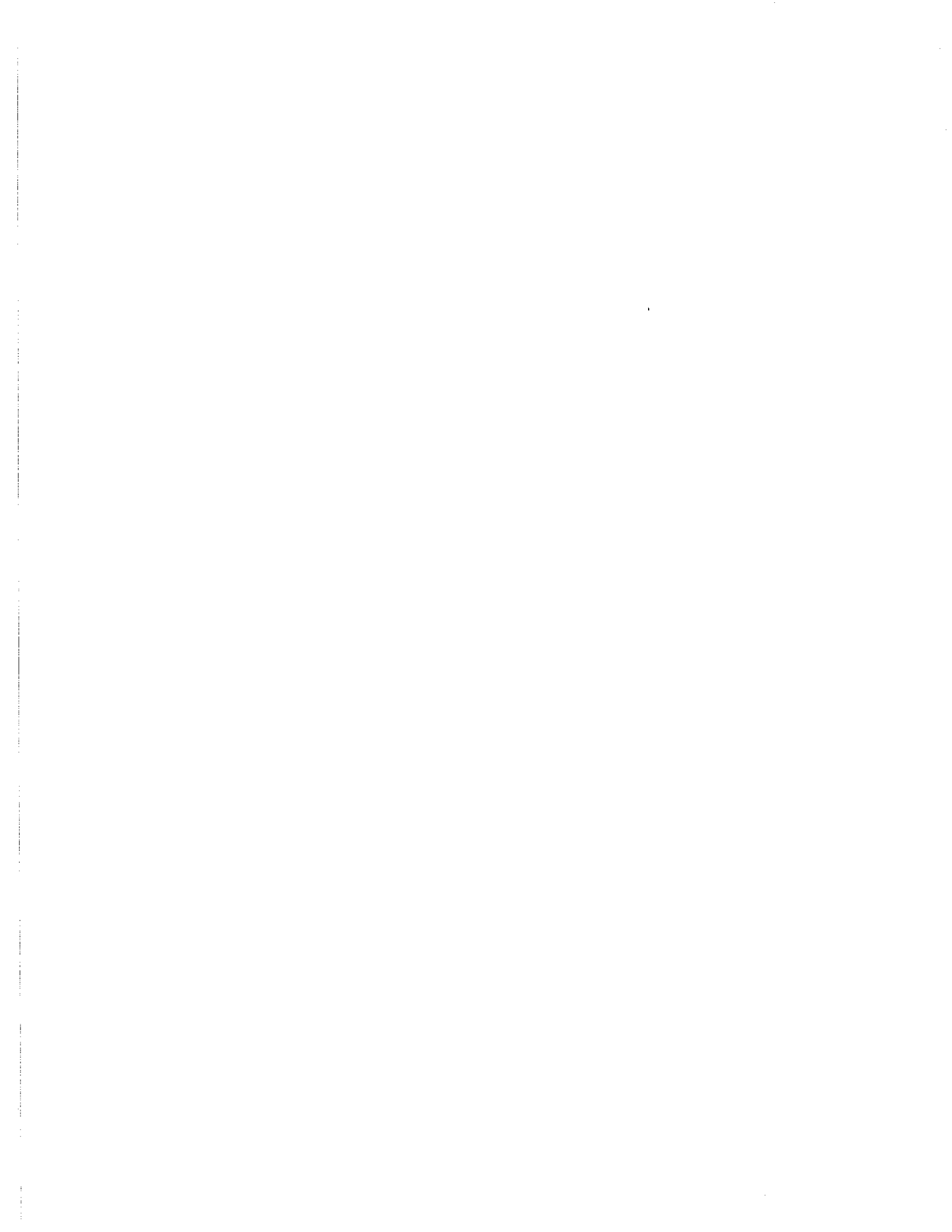
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