

**VILLAGE OF OHIO CITY**  
**ORDINANCE NO. 01-09-20**

**AN ORDINANCE CONCERNING JUNK VEHICLES AND JUNK OR RUBBISH  
IN THE VILLAGE OF OHIO CITY, VAN WERT COUNTY, OHIO AND  
REPEALING ORDINANCE NO. 1-5-16.**

BE IT ORDAINED by the Council of the Village of Ohio City, Van Wert County, Ohio, three-fourths of the members elected thereto concurring:

SECTION I. Definitions:

“Refuse” embraces only such matter as was either in fact noxious or has been refused and abandoned by its owner and is not stored in a sealed container made of metal or wood with a tightly secured lid.

“Rubbish” means and includes wire, chips, shavings, bottles, broken glass, crockery, tin, cast or wooden ware, boxes, rags, stumps, tree trunks, brush, paper, paper circulars, handbills, boots, shoes, ashes, or any waste material including household garbage except that which is stored in a sealed container made of metal or wood with a tightly secured lid.

“Junk” shall mean old or scrap copper, brass, rope, rags, trash, waste, batteries, tires, rubber, junked or dismantled automobiles or parts thereof, wrecked automobiles, iron, steel, an appliance, and other old or scrap ferrous or nonferrous material, including boat or motor vehicle parts which are not stored in a sealed container made of metal or wood with a tightly secured lid.

“Junk Motor Vehicle” shall mean any motor vehicle which meets any of the following: Extensively damaged, non-operating, without a current Ohio license plate and current registration and sticker attached to the plate on the vehicle, or is otherwise not safe for operation as a motor vehicle on a public highway, and is not enclosed in a garage or building, or otherwise uncovered for more than 72 hours, [except a collector’s vehicle as defined in O.R.C. Section 4501.01 with current Ohio license plates, or a historical vehicle as defined in O.R.C. Section 4501.01 with current Ohio license plates.]

“Non-operating Motor Vehicle” means and includes any style or type of motor-driven vehicle used or useful for the conveyance of person or property which is unable to move under its own power due to defective or missing parts.

SECTION II. Prohibition.

No person, firm, or corporation shall deposit, store, maintain, collect, or permit the storage, maintenance, or collection of any junk, junk motor vehicles, unlicensed or non-operating motor

vehicles, refuse, or rubbish on his own premises or any premises he owns or uses under his control, or any other place in the municipality.

### SECTION III. Enforcement.

- (A) In the event of a violation of this Ordinance, the Mayor or designee shall give notice to the owner, occupant, or person having charge of the premises upon which the violation occurs to cease such violation. Such notice shall be in writing and shall be served upon the owner, occupant, or person having charge of the premises either personally or at the usual place of residence of such owner, occupant, or person having charge of such premises or by registered or certified mail addressed to such person's last known place of residence.
- (B) If the person served with the notice as provided in paragraph (A) fails to cause such violation to cease within thirty (30) days of the date upon which the notice was served, he shall then be subject to the penalties provided herein, and a separate offense shall be deemed committed upon each day during or on which the violation occurs or continues beyond such thirty (30) day period, provided that no additional notice of violation is required to be given.

### SECTION IV. Supersedes prior Ordinances.

This Ordinance supersedes any former Village Ordinances in contradiction with the terms set forth herein which are hereby expressly repealed and shall hereinafter be held for naught.

### SECTION V. Penalty.

- (A) Whoever violates any provision of this Ordinance shall be guilty of a misdemeanor of the fourth degree, punishable by a fine of not more than \$250.00 and a jail sentence of not more than 30 days, for each offense. Any such violation shall constitute a separate offense for each successive day continued.
- (B) In the event that the owner or other appropriate person fails to comply with the notice given in Section 3 above, the Village shall cause such junk to be cleaned up. Such cleaning and removal of junk/rubbish shall be at the owner's expense and costs shall be assessed against the property.

In the event that the owner or other appropriate person fails to pay such expenses within thirty (30) days after being notified in writing, by regular U.S. mail with a certificate

of mailing, of the amount thereof, the costs of removal and cleaning may be collected by using one or more of the following methods:

- a) Such expenses may be certified to the County Auditor and placed on the tax duplicate for collection as a special assessment and thereupon shall be collected as other taxes and assessments as provided by R.C. 731.54; or
- b) The Village Solicitor is authorized to bring suit and take other necessary legal action to collect all such expenses.
- c) The cost of labor shall be \$200.00 for the first hour and \$100.00 per hour for each hour thereafter.
- d) Dumpster fees and dump fees will be included.

This Ordinance shall take effect and be in force from and after the earliest period allowable by law as it is necessary for the immediate preservation of the public peace, health, safety, and welfare.

Passed: 09/01/2020

Mayor: Jack J Brown

ATTEST:

Elisha Mankey  
Village Clerk