

**EXTERIOR PROPERTY MAINTENANCE CODE
FOR THE UNINCORPORATED PORTIONS OF
SHARON TOWNSHIP
FRANKLIN COUNTY, OHIO**

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ARTICLE I

TITLE, SCOPE AND RESPONSIBILITY

- 1.01 **TITLE:** This code shall be known as “The Exterior Property Maintenance Code for the Unincorporated Portions of Sharon Township, Franklin County, Ohio.”
- 1.02 **SCOPE:** The provisions of this code shall govern the minimum conditions and the responsibilities of persons for maintenance of structures, equipment and exterior property, including all vacant structures and premises thereof, as well as vacant land. All the aforementioned shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health and safety or the value of surrounding properties.
- 1.03 **RESPONSIBILITY:** The owner of the premises shall maintain the structures and exterior property in compliance with these requirements, except as otherwise provided for in this code. A person shall not occupy as owner-occupant or permit another person to occupy premises which are not in a sanitary and safe condition and which do not comply with the requirements of this code. Occupants of a dwelling unit are responsible for keeping in a clean, sanitary and safe condition that part of the dwelling unit which they occupy and/or control. The property maintenance responsibilities of non-owner occupants shall in no way relieve the property’s owner(s) of ultimate responsibility for its condition.

ARTICLE II

CONSTRUCTION OF LANGUAGE AND DEFINITIONS

- 2.01 **CONSTRUCTION OF LANGUAGE:** For the purpose of this Exterior Property Maintenance Code, certain terms or words shall be interpreted as follows:
- A. Words used in the singular shall include the plural, and the plural the singular.
 - B. Words used in the present Tense shall include the future tense.
 - C. Words in the masculine gender shall include the feminine and neuter.
 - D. The words “shall” and “will” are mandatory.
 - E. The word “may” is permissive.
 - F. The phrase “used for” shall be synonymous with the phrases “arranged for,” “designed for,” “intended for,” “maintained for,” and “occupied for.”
 - G. The word “person” may denote a firm, association, organization, partnership, trust, company or corporation, as well as an individual.
 - H. The word “dwelling” shall be synonymous with the word “residence.”
 - I. Where terms are not defined in this code and are defined in the *International Building Code, International Fire Code, International Zoning Code, International Plumbing Code, International Mechanical Code* or the ICC

Electrical Code, such terms shall have the meanings ascribed to them as stated in those codes.

- J. Where terms are not specifically defined in this section or through the methods authorized by this section, such terms shall have ordinarily accepted meanings such as the context implies.
 - K. Whenever the words “dwelling unit,” “dwelling,” “premises,” “building,” “rooming house,” “rooming unit,” “housekeeping unit” or “story” are stated in this code, they shall be construed as though they were followed by the words “or any part thereof.”
 - L. When “the code,” “this code” or similar phrases are used in this document, they shall be construed as referring to the Exterior Property Maintenance Code for the Unincorporated Portions of Sharon Township, Franklin County, Ohio.
 - M. Unless otherwise specified, the words “Sharon Township” in this code shall always refer only to the unincorporated portions of the township.
- 2.02 **DEFINITIONS:** All words used in this code shall have their customary meanings, except those specifically defined in this section.

Approved: Approved by the code enforcement officer(s).

Basement: That portion of a building which is partly or completely below grade.

Building code: The most current edition of the State of Ohio building code, or such other code as may be officially designated by the Franklin County, Ohio, Commissioners for the regulation of construction, alteration, addition, repair, removal, demolition, use, location, occupancy and maintenance of all buildings and structures.

Code enforcement officer: Any official who is charged with the administration and enforcement of this code, or any representative authorized by the Sharon Township Board of Trustees.

Easement: That portion of land or property reserved for present or future use by a person or agency other than the legal fee owner of the property. The easement shall be permitted to be for use under, on or above a specified lot or lots.

Exterior property areas: The open space on the premises and on adjoining property under the control of owners or operators of such premises.

Extermination: The control and elimination of insects, rats, or other pests by eliminating their harborage places; by removing or making inaccessible materials that serve as their food; by poison spraying, fumigating, trapping or by any other legal pest elimination methods.

Garbage: The animal or vegetable waste resulting from the handling, preparation, cooking and consumption of food.

Graffiti: In addition to its usual and customary meaning of the defacement of walls or structures with messages or slogans, "Graffiti" shall also mean any unauthorized inscription, word, figure, painting or other defacement that is written, marked, etched, scratched, sprayed, drawn, painted, or engraved on or otherwise affixed to any surface of public or private property by any graffiti implement, to the extent that the graffiti was not authorized in advance by the owner or occupant of the property, or, despite advance authorization, is otherwise deemed a public nuisance by township authorities including, but not limited to, police officers and the code enforcement officer.

Habitable space: Space in a structure for living, sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces, and similar areas are not considered habitable spaces.

Imminent danger: A condition which could cause serious or life-threatening injury or death at any time.

Infestation: The presence, within or contiguous to, a structure or premises of insects, rats, vermin or other pests.

Junk or inoperable vehicle: A vehicle, including but not limited to cars, trucks, buses, trailers and boats, which cannot be driven or conveyed upon the public streets for reason including, but not limited to, being unlicensed, wrecked, abandoned, in a state of disrepair or, in the case of a motor vehicle, incapable of being moved under its own power.

Motor vehicle: Shall be as defined in Section 4501(B) of the Ohio Revised Code.

Occupancy: The purpose for which a building or portion thereof is utilized or occupied.

Occupant: Any individual living or sleeping in a building, or having possession of a space within a building.

Owner: The owner of record of the subject property, the beneficial owner under a land contract, the contract purchaser, or that person or persons or trust in whose name the general taxes for the last preceding year were paid.

Premises: A lot, plot or parcel of land, easement or public way, including, but not limited to, any structures thereon.

Public nuisance:

- A. The physical condition, or use of any premises regarded as a public nuisance at common law.
- B. Any physical condition, use, or occupancy of any premises or its appurtenances considered an attractive nuisance to children, including but not limited to junk, inoperable or unlicensed vehicles, abandoned household appliances, abandoned wells, shafts, basements, excavations.
- C. Any premises that have improperly working drainage facilities.
- D. Any premises designated as unsafe for human habitation or use.
- E. Any premises that is manifestly capable of being a fire hazard, or is manifestly unsafe or unsecured as to endanger life, limb or property.
- F. Any premises that is unsanitary, or that is littered with rubbish or garbage.

Public property: Shall mean any street, highway, alley or public right-of-way, and any other publicly owned property or facility.

Rubbish: Combustible and non-combustible waste materials, including car parts, motors, and abandoned household appliances. The term shall also include rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, furniture, lawn mowers, abandoned appliances, tin cans, metals, mineral matter, glass, crockery, dust and other similar materials, as well as the residue from the burning of wood, coal, and other combustible materials.

Strict liability offense: An offense in which the prosecution in a legal proceeding is not required to prove criminal intent as a part of its case. It is enough to prove that the defendant either did an act which was prohibited, or failed to do an act which the defendant was legally required to do.

Structure: Anything constructed or erected which requires location on the ground or attachment to something having location on the ground.

ARTICLE III

EXTERIOR PROPERTY MAINTENANCE STANDARDS

- 3.01 SANITATION: All exterior property and premises shall be maintained in a clean, safe and sanitary condition. The occupant shall keep that part of the exterior property which such occupant occupies or controls in a clean and sanitary condition.
- 3.02 GRADING AND DRAINAGE: All premises shall be graded and maintained to prevent the erosion of soil and to prevent the accumulation of stagnant water thereon, or within any structure located thereon. Exception: Approved retention areas and reservoirs.

- 3.03 SIDEWALKS AND DRIVEWAYS: Where applicable, all sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions.
- 3.04 WEEDS: All premises and exterior property shall be maintained free from noxious weed (as defined in Sect. 907.01 of the Ohio Revised Code) or plant growth in excess of twelve (12") inches.
- 3.05 RODENT HARBORAGE: All structures and exterior property shall be kept free from rodent harborage and infestation. Where rodents are found, they shall be promptly exterminated by legally accepted processes which will not be injurious to human health. After extermination, proper precautions shall be taken to eliminate rodent harborage and prevent re-infestation.
- 3.06 EXHAUST VENTS: Pipes, ducts, conductors, fans or blowers shall not discharge gases, steam, vapor, hot air, grease, smoke, odors or other gaseous or particulate wastes directly upon abutting or adjacent public or private property.
- 3.07 ACCESSORY STRUCTURES: All accessory structures, including but not limited to detached garages, sheds, fences and walls, shall be maintained structurally sound and in good repair.
- 3.08 MOTOR VEHICLES: Except as provided for in other regulations, no inoperative or unlicensed motor vehicle shall be parked, kept or stored on any premises, and no vehicles shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside a legally accepted spray booth. Exception: A vehicle of any type is permitted to undergo major overhaul, including body work, provided that such work is performed inside a structure or similarly enclosed area designed and legally accepted for such purposes.
- 3.09 DEFACEMENT OF PROPERTY: No person shall willfully or wantonly damage, mutilate or deface any exterior surface of any structure or building on any private or public property by placing thereon any marking, carving or graffiti. It shall be the responsibility of the owner to restore said surface to an approved state of maintenance and repair within a reasonable time period as agreed upon between the property owner and township officials.
- 3.10 SWIMMING POOLS: Swimming pools shall be maintained in a clean and sanitary condition, and in good repair.
- 3.11 ENCLOSURES: Private swimming pools, hot tubs and spas, containing water more than twenty-four (24) inches in depth shall be completely surrounded by a fence or barrier at least forty-eight (48) inches in height above the finished ground level measured on the side of the barrier away from the pool. No existing pool

- enclosure shall be removed, replaced or changed in a manner that reduces its effectiveness as a safety barrier.
- 3.12 **PROTECTIVE TREATMENT:** All exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting and other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. All siding and masonry joints as well as those between the building envelope and the perimeter of windows, doors and skylights shall be maintained weather resistant and water tight. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion and all surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.
- 3.13 **STREET NUMBERS:** Each structure to which a street number has been assigned shall have such number displayed in Arabic numerical format in a position easily observed and readable from the public right-of-way. This section shall apply if, due to deterioration or loss, the numbers must be otherwise repaired, placed or replaced.
- 3.14 **FOUNDATION WALLS:** All exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration.
- 3.15 **ROOFS AND DRAINAGE:** The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.
- 3.16 **OVERHANG EXTENSIONS:** All overhang extensions including, but not limited to canopies, marquees, signs, metal awnings, fire escapes, standpipes and exhaust ducts shall be maintained in good repair and be properly anchored so as to be kept in a sound condition. All exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.
- 3.17 **STAIRWAYS, DECKS, PORCHES AND BALCONIES:** Every exterior stairway, deck, porch and balcony, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads.

- 3.18 HANDRAILS AND GUARDS: Every handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.
- 3.19 CHIMNEYS AND TOWERS: All chimneys, cooling towers, smoke stacks and similar appurtenances shall be maintained structurally safe and sound, and in good repair. All exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather coating materials, such as paint or similar surface treatment.
- 3.20 WINDOW, SKYLIGHT AND DOOR FRAMES: Every sky window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.
- 3.21 OPENABLE WINDOWS: Every window, other than a fixed window, shall be easily openable and capable of being held in position by window hardware.
- 3.22 DOORS: All exterior doors, door assemblies and hardware shall be maintained in good condition. Locks at all entrances to dwelling units shall tightly secure the door.
- 3.23 BASEMENT HATCHWAYS: Every basement hatchway shall be maintained to prevent the entrance of rodents, rain and surface drainage water. Basement hatchways that provide access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased or let shall be equipped with devices that secure the units from unauthorized entry.
- 3.24 GUARDS FOR BASEMENT WINDOWS: Every basement window that is openable shall be supplied with rodent shields, storm windows or other approved protection against the entry of rodents.

ARTICLE IV

ADMINISTRATION AND ENFORCEMENT

- 4.01 APPLICATION OF EXTERIOR PROPERTY MAINTENANCE CODE: Chronic failure to adhere to the standards articulated in this code adversely affects public health, safety, morals and general welfare, and leads to the continuation, extension and aggravation of blight and its attendant negative effect on surrounding property values. Therefore, adequate protection of the public requires the establishment and enforcement of these property maintenance standards.
- 4.02 COMPLIANCE REQUIRED: Every portion of a building or premises used or intended to be used for residential, commercial or industrial purposes shall comply with the provisions of this code, irrespective of when such building has

- been constructed, altered or repaired, or premises occupied, except as hereinafter provided.
- 4.03 **CONFLICT OF LAWS**: In any case where a provision of this code is found to be in conflict with a provision of any zoning building, fire, safety or health regulation or other regulation, the provision which established the stricter standard for the promotion and protection of the safety and health of the peoples shall prevail.
- 4.04 **SEPARABILITY**: If any section, subsection, paragraph, sentence, clause or phrase of this code is declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this code, which shall continue in full force and effect. To this end, the provisions of this code are hereby declared to be severable.
- 4.05 **SAVING CLAUSE**: This code shall not affect violations of any other resolution, ordinance, code or regulation existing prior to the effective date of this code, and any violation of such shall be governed and shall continue to be punishable to the full extent of the law under the provisions of those ordinances, codes or regulations in effect at the time the violation was committed.
- 4.06 **ENFORCEMENT OFFICIALS AND LIABILITY**: The township trustees shall designate officials for the administration and enforcement of this code. The enforcement officer may call upon any department, division or contractor of the township for whatever assistance may be necessary to abate any condition that is in violation of this code. No officer, agent or employee of Sharon Township shall be personally liable for any damage that may accrue to persons or property as a result of any act required or permitted in the discharge of his duties under this code.
- 4.07 **INSPECTIONS**: The enforcement officer is authorized to make inspections of building exteriors and premises located within Sharon Township for purposes of enforcing the provisions of this code. For the purpose of making such inspections, and upon showing appropriate identification, the enforcement officer is hereby authorized to examine and survey all premises at any reasonable hour.
- 4.08 **WARNING CITATION**: Whenever an enforcement officer determines that there is a violation of the provisions of this code, he may issue a warning citation of such violation to the person or persons responsible therefore. Such notice shall:
- A. Be in writing
 - B. Include a description of the real estate sufficient for identification
 - C. Include a statement of the reason(s) why it is being issued
 - D. State that the violator must respond no later than ten days after issuance of the warning citation.

- 4.09 NOTICE OF VIOLATION: Whenever an enforcement officer determines that there is a violation of the provisions of this code—and when the violator has either failed to respond to a warning citation within the time prescribed in Section 4.08(D) or failed to correct the condition for which the warning citation was issued—the enforcement officer may issue a notice of such violation to the person or persons responsible therefore. Such notice shall:
- A. Be in writing
 - B. Include a description of the real estate sufficient for identification
 - C. Include a statement of the reason(s) why it is being issued
 - D. Include a correction order allowing up to thirty (30) days for the repairs and improvements required to bring the property into compliance with the provisions of this code, and
 - E. State the right of the violator to file an appeal of the notice with the Sharon Township Board of Trustees within ten (10) days of receipt of the notice.
- 4.10 SERVICE OF WARNING CITATIONS AND NOTICES OF VIOLATION: A warning citation or notice of violation shall be deemed to be properly served if one or more of the following methods are used:
- A. By personal delivery to the owner or occupant of the premises or by leaving the notice at the premises with a person of suitable age and discretion; or
 - B. By certified mail deposited in the United States Post Office addressed to the person or persons responsible at their last known address, with return receipt requested. If a certified mail envelope is returned with endorsement showing that the envelope is unclaimed, then service shall be sent by ordinary mail and the mailing shall be evidenced by a certificate of mailing which shall be filed by the enforcement officer. Service shall be deemed complete when the fact of mailing is entered of record, provided that the ordinary mail envelope is not returned by the postal authorities with an endorsement showing failure of delivery; or
 - C. By posting a copy of the notice form in a conspicuous place on the premises found in violation and publishing a legal notice on the official Sharon Township website. The legal notice shall identify the owner of the property, the last address, if known of the owner, the parcel identification, the location and nature of the violation; or
 - D. For a junk vehicle, as an addition or alternative to providing service as described above, the enforcement officer may provide service by affixing a notice of violation in a conspicuous place to the exterior of the vehicle.
- 4.11 EXTERIOR PROPERTY MAINTENANCE CODE APPEALS
- A. Appeals Board: The Sharon Township Board of Trustees shall function as the Exterior Property Maintenance Code Appeals Board.
 - B. Procedure: The Appeals Board may adopt rules of procedure consistent with this code. No member of the Board shall take part in any hearing or determination in which he or she has a personal or financial interest. In the event that two trustees must recuse themselves, for any reason, from hearing an appeal, the township Fiscal Officer shall be authorized to sit and vote on

the appeals board. Two (2) members of the board in attendance at any meeting shall constitute a quorum.

- C. Authority: The Board shall hear all appeals relative to the enforcement of this code, and by a concurring vote of the majority of its members may reverse or affirm, wholly or partly, or may modify the decision appealed from, and shall make such order or determination as in its opinion ought to be made. A tie vote or any other failure to secure such concurring majority votes shall be deemed a confirmation of the decision of the enforcement official.
 - D. Hearings: Any person affected by any notice of violation that has been issued in connection with the enforcement of any provision of this code will have ten (10) days from the date on the notice of violation in which to file a petition for appeal, on forms provided by the township. Once the appellant has duly filed an appeals request, he shall be granted a hearing on the matter before the appeals board. Upon receipt of an appeal petition, the Appeals Board shall set a time and place for the hearing requested, and shall give the appellant written notice thereof by first class mail postmarked at least ten (10) days prior to the hearing date. The hearing shall be held no less than ten (10) days and no more than thirty (30) days from the date the petition was filed. At such hearing, the appellant shall be give an opportunity to be heard and to show cause why any item appearing on a notice of violation should be modified or withdrawn. The failure of the appellant or his representative to appear and state the case for the appeal shall have the same effect as though no appeal were filed.
 - E. Findings: Prior to sustaining any notice of violation and compliance order, the appeals board shall determine the following:
 1. That the violator was served with a Notice of Violation, as provided for in Section 4.10
 2. That, within the time period stipulated in the Notice of Violation, the violator failed to bring into compliance the condition(s) cited with this code
 3. That, upon expiration of the date indicated for compliance in the Notice of Violation, the property was being maintained in violation of specific provisions of this code and/or conditions imposed by the Appeals Board as a prerequisite to the modification of a previous compliance order.
 - F. Authority of Appeals Board: Within thirty (30) days of the close of the public hearing, the Appeals Board shall render a decision sustaining, modifying or withdrawing any item appearing on the Notice of Violation. The appellant shall be notified in writing of such action.
 - G. In the event that an appeal of a notice of violation is denied by the Appeals Board, the appellant has 30 days following receipt of written notice of denial in which to bring the condition(s) described in the original notice of violation into compliance with this code.
- 4.12 CITATION TAGS: If, at the end of the thirty (30) days—as described in Sections 4.09(D) and 4.11(G)—allowed for a property to be brought into compliance with this code, the property remains in violation thereof due to any conditions already cited by the Enforcement Officer, the Enforcement Officer is authorized and

directed to provide citation tags which shall be used to give due notice and summons to the person(s) responsible for violations of this code.

- A. Contents: Citation tags shall be put in writing on an appropriate form, state the nature of the violation, refer to the section or sections of this code violated, and state the appropriate assessment or penalty therefore.
- B. Payment of Assessment: Upon being served with a citation tag, the violator shall appear at the place or places designated upon the tag and shall pay the assessment for the violation noted on the citation. Upon payment of the assessment as provided within the time limit provided herein, no further action will be taken to prosecute the violation noted on the citation, provided remedial action, if necessary, is taken.
- C. Notice of Future Violation: The citation tag, as herein provided shall be sufficient notice, summons and legal service thereof for the purpose specified thereon; provided, however, that the use of such tags shall not prohibit the issuance of either additional citation tags or a legal notice of violation as provided herein, in the event such violation is continued or repeated.
- D. Establishment of Fee Schedule by Township Trustees: Prior to the issuance of any citation tag, the Township Trustees shall adopt by resolution a citation tag fee schedule. This schedule may also be modified by vote of the Trustees.
- E. Penalty Assessment: When a violation citation tag has been issued pursuant to this section, an amount established by the Township Trustees is hereby assessed on the violator. Failure to pay the assessment within a period of thirty (30) days after the date of service of the citation tag shall constitute a minor misdemeanor, punishable per Section 4.99 of this code.

4.13 PROSECUTION: If any violation is not promptly complied with, the Enforcement Official may request the Township Trustees to institute an appropriate action or proceeding at law to exact the penalty provided in Section 4.99 of this code, and may also ask the Trustees to proceed at law or in equity against the person responsible for the violation, for the purpose of ordering the violator to abate the nuisance (i.e. condition cited).

4.14 ABATEMENT OF NUISANCE BY TOWNSHIP AND COST RECOVERY: Should the nuisance not be abated at the expiration of the time stated in the notice or order of the Enforcement Officer, or any extensions granted of such additional time as the Appeals Board may grant, the enforcement officer shall be authorized at any time thereafter to request a court to authorize entry to take such action as deemed appropriate to abate the nuisance, in addition to any remedies provided elsewhere in this code. In abating such nuisance, the enforcement officer may call on any department, division or contractor of the Township for whatever assistance may be necessary to abate the aforesaid nuisance or may, by private contract, abate such nuisance and the cost of the contract will be paid from Township funds. All costs for abating such nuisance shall be recovered in the following manner:

- A. The owner of the property cited shall be billed directly by certified mail deposited with the United States Post Office. In the event the certified mail

envelope is returned with endorsement showing that the envelope is unclaimed, then service shall be sent by ordinary mail and the mailing shall be evidenced by a certificate of mailing which shall be filed by the enforcement officer.

- B. If the costs are not so recovered within thirty (30) days of receipt of the mailing described in subsection (A), The Township may collect the cost in accordance with the Ohio Revised Code.
- 4.15 TRANSFER OF OWNERSHIP: It shall be unlawful for the owner of any property or structure who has received a notice of violation to sell, transfer, mortgage, lease or otherwise dispose of said property to another until the provisions of the notice of violation have been complied with, or until such owner shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any notice of violation issued by the Enforcement Officer and shall furnish to the official a signed and notarized statement from the grantee, transferee, mortgagee or lessee acknowledging the receipt of such notice of violation and fully accepting the responsibility without condition for making the corrections or repairs required by such notice of violation.
- 4.16 ABANDONMENT OF CONSTRUCTION PROJECT: Any building or structure for which a building permit has been issued, and except for circumstances beyond the property owner's control (e.g. labor strikes, inclement weather, etc.), all construction work shall be diligently pursued to completion. Any construction project upon which no substantial work has been undertaken for a period of six (6) months shall be deemed abandoned. Upon any construction project being deemed abandoned, all buildings or structures not completed to the degree such buildings or structures have been indicated on the plans submitted in support of a building permit, and all building materials and construction equipment shall be removed from the site.
- 4.17 IMPOUNDMENT OF JUNK VEHICLE: Notwithstanding other provisions of this code, the enforcement officer may order into storage any vehicle maintained in violation of any provision of this code. Prior to removal of any junk motor vehicle, the enforcement officer shall record the vehicle's make, model and Vehicle Identification Number (VIN), when available. The place of storage shall be designated by the enforcement officer.
- 4.18 FAILURE TO COMPLY WITH NOTICE TO CUT WEEDS: Upon failure of the owner or agent having charge of a property to cut and/or destroy weeds and/or plant growth after service of a notice of violation, he shall be subject to prosecution in accordance with Section 106.3 of the Ohio Revised Code and as prescribed by this code. Upon failure to comply with the notice of violation, any duly authorized employee of the township or contractor hired by the township shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the owner or agent responsible for the property, in accordance with the Ohio Revised Code.

4.99 VIOLATION AND PENALTIES

- A. No person shall violate any provision or fail to conform to any of the requirements of this code, or fail to comply with any order made thereunder.
- B. Whoever violates any section of this code and fails to abate the condition(s) cited, within the time limit prescribed, shall be guilty of a minor misdemeanor and be fined not more than one hundred dollars (\$100.00). A separate offense shall be deemed committed each day during or on which a violation occurs or continues.
- C. The application of the penalty provided in subsection (B) shall not be held to prevent the enforced removal of prohibited conditions.

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