

An Ordinance to prohibit the storing or abandonment within the Village of motor vehicles in an inoperative or unsafe condition, unused parts, machinery, furniture or appliances outside of a closed building, used building materials, scrap metal, glass, rubber, paper or other junk, refuse or garbage; to provide penalties for violation thereof, and for removal and disposition thereof and declaring an emergency.

BE IT ORDAINED by the Council of The Village of North Hampton, State of Ohio:

SECTION 1: Definitions - As used in this ordinance, except as otherwise provided by law:

- A. "Motor vehicle in an inoperative or unsafe condition" means any style or type of motor vehicle used or useful for the conveyance of persons or property which is unable to move under its own power due to defective or missing parts, and which has remained in such condition for a period of not less than thirty days, or which is in a dangerous condition, has defective or missing parts, or is in such a condition generally as to be unsalable for further use as a conveyance.
- B. "Unused parts, machinery, furniture or appliances outside of a closed building" means any portion or parts of any motor vehicle, machine or appliance detached from the vehicle, machine or appliance as a whole, any mechanical device which through application of power is or was capable of performing a mechanical act which is not currently being used for its intended purpose, any household or business furnishings including but not limited to tables, chairs, beds, chests, cabinets, desks, lamps, stoves, refrigerators, freezers, mixers, pumps which are not currently being used for their intended purpose, and which are stored, placed, deposited, abandoned, or allowed to remain at any place other than inside of a building which is closed on all sides and locked when not occupied, attended or in use by the owner or other person authorized by the owner.
- C. "Used building materials" means any materials including wood, stone, brick, concrete, cement, steel, aluminum, plastic, asbestos, insulating, electrical or plumbing materials, or any composition thereof, used or useful in the erection of any building or structure, which have been used previously for such erection or construction.
- D. "Scrap metal, glass, rubber, paper, or other junk, refuse or garbage" means any pieces or parts of metal, glass, rubber, paper, vehicles, furniture, appliances, machinery, clothing, fertilizer, feed, food, dead or decaying vegetable or animal matters which have served its usefulness in its original form and are no longer safe, useful or fit for any further use in its present condition.

SECTION 2: No person shall park, store or abandon within the Village outside of a closed building any motor vehicle in an inoperative or unsafe condition or does not have displayed a valid and current license plate with validation sticker.

SECTION 3: No person shall store, place, deposit, abandon or allow to remain within the Village any unused parts, machinery, furniture or appliances outside of a closed building.

SECTION 4: No person shall store, place, deposit, abandon or allow to remain within the Village for a period of more than thirty days any used building materials unless the construction or erection for the planned use of said materials shall have begun within said period and dilligently continued to completion in not more than twelve months, at which completion all unused materials shall be removed within fifteen days,

SECTION 5: No person shall store, place, deposit, abandon or allow to remain within the Village for a period of more than ten days any scrap metal, glass, rubber, paper or other junk, refuse or garbage.

SECTION 6: Any act, conduct or condition prohibited by the foregoing sections is hereby declared to be a public nuisance per se and upon being brought to the attention of any member of the Village police, such officer shall issue an order, on a form prescribed by the Mayor, directing the owner, agent, lessee, or tenant, in charge of the private property upon which are such prohibited items, or, or the prohibited items which are upon public property, that a violation of this ordinance exists and that such violation must be corrected within seven days after the date of issuance of the written order.

SECTION 7: Upon the expiration of the seven days set forth in Section 6 herein, and the failure to correct the violation noted on such written order, the owner, agent, lessee or tenant so ordered and so failing to make such correction shall be fined not more than fifty dollars for each offense, and each day of violation, after the expiration of the seven days order, shall consitute a separate offense.

SECTION 8: Any motor vehicle or other items described in this ordinance parked, stored, placed, deposited or abandoned in violation of this ordinance, after seven days notice of such violation mailed or delivered to the owner as herein provided, or if the owner cannot be found or his address is unknown then after thirty days notice to the owner of the premises upon which such motor vehicle or other item is parked, stored, placed, deposited or abandoned, or person in possession thereof, or the agent thereof, in addition to the penalty provided by Section 7 herein, may be removed to a motor vehicle pound or other place of storage by any police officer, and shall not be released except upon payment of towing or removal and storage charges. Vehicles or other items so removed may be disposed of according to Sections 737.29 et seq. of the Revised Code of Ohio.

SECTION 9: This Ordinance shall not apply to a junk yard lawfully operating under Chapter 4737 of the Revised Code and all other applicable state law.

SECTION 10: Should any section, clause or provision of this Ordinance be declared by a Court to be invalid, the same shall not affect the validity of this ordinance as a whole, or any part thereof, other than the part so declared to be invalid.

SECTION 11: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety of the Village of North Hampton.

SECTION 12: By reason of the emergency set forth in Section 11 hereof, this Ordinance shall take effect and be in force.

Adopted this 12th day of September, 1995.

Attest:

Norman Caudill

Village Clerk

Ray H. Brown

Mayor

CERTIFICATE

I, Norman Caudill, Clerk of Council of the Village of North Hampton, State of Ohio, do hereby certify that there is no newspaper printed in said municipality, and that publication of the foregoing Ordinance was duly made by posting true copies thereof at five of the most public places in said corporation as determined by the Council, as follows: Village offices, Post Office Building Lobby, Ayers Barber Shop, Pencil's Garage, and the Parlor Beauty Salon, each for a period of fifteen (15) days, commencing on the 14th day of September, 1995.

Norman Caudill

Clerk of the Council of the  
Village of North Hampton, Ohio.