

ORDINANCE NO. 04-6-04

AN ORDINANCE AMENDING SECTION 660.14.1 OF THE GENERAL OFFENSES CODE OF THE VILLAGE OF ROCKFORD, OHIO (STORAGE OF JUNK), REPEALING INCONSISTENT LEGISLATION, AND DECLARING AN EMERGENCY

WHEREAS, the Council of the Village of Rockford, Ohio, previously adopted Ordinance 5-91 establishing Section 660.14.1 of the General Offenses Code

WHEREAS, Council deems it necessary and appropriate to amend Section 660.14.1 with regard to the notice provisions set forth in said Section.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF ROCKFORD, OHIO THAT:

SECTION 1

SECTION 660.14.1 OF THE General Offenses Code of the Village of Rockford, Ohio, entitled "Storage of Junk" shall be amended to read as follows:

Section 660.14.1 STORAGE OF JUNK

(a) Definitions. As used in this Section:

- (1) "Junk" means any worn-out, cast-off or discarded article or material which is ready for destruction or has been collected or stored for salvage or conversion to some other use. Any article or material which, unaltered or unchanged and without further reconditioning, can be used for its original purpose as readily as when new shall not be considered "junk".
- (2) "Rubbish" means and includes wire, chips, shavings, bottles, broken glass, crockery, tin, cast or wooden ware, boxes, rags, dead weeds, stumps, tree trunks, brush, paper circulars, handbills, boots, shoes, ashes, garbage, offal or any waste material.
- (3) "Owner" means the person, firm or corporation in whose name any premises are listed in the records or deeds in the Mercer County Recorder's Office.
- (4) "Notice" means a letter, in a form approved by Council, stating the manner in which a provision of this Section is being violated, the description and/or location of the premises, the name of the owners and tenants (if any) of such premises, and the period of time within which such premises are to be cleared from such violation. Such letter shall be signed by the Mayor or designee.

(b) Accumulation Prohibited. No person shall deposit, store, maintain, or collect, or permit the storage, deposit, maintenance or collection of, any junk or rubbish on his own

premises or any premises under his control, or on the streets, sidewalks or alleys or in any other place within the Municipality, except as expressly provided by law.

(c) Enforcement; Notice; Service. No person violating Subsection (b) hereof shall within ten (10) days after notification of such violation by the Mayor or designee fail to remove or cause to be removed any junk or rubbish or to have the same placed in any adequate enclosure or building.

Such notice shall be served upon the owner, and tenant if there is such, by certified mail or by an officer of the Police Department.

The fact that such premises are rented or leased by the owner to another party shall not relieve such owner from the responsibilities herein created.

(d) Penalty. Whoever violates any of the provisions of this Section is guilty of a minor misdemeanor on the first offense; on a second offense, such person is guilty of a misdemeanor of the third degree. A separate offense shall be deemed committed each day during on or which a violation occurs or continues.

SECTION 2

All legislation in conflict herewith shall be, and the same hereby is, repealed.

SECTION 3

This ordinance is necessary for the preservation of the health, safety, and welfare of the residents of the Village of Rockford, Ohio and its immediate implementation is necessary in order to avoid interference with the police powers of the Village, and therefore, shall go into effect immediately upon its passage.

PASSED on the 6th day of April 2004.