

CITY OF CLAYTON, OHIO

ORDINANCE NO. O – 04 - 24 -05

AN ORDINANCE AMENDING SECTION 1313.05 OF CHAPTER 1313 OF THE CLAYTON CODIFIED ORDINANCES AND DECLARING AN EMERGENCY

WHEREAS, staff has reviewed Clayton Codified Ordinance 1313.05 and recommends amendments thereto in order to increase the grass cutting fee as delineated below to address increased personnel costs associated therewith.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLAYTON, STATE OF OHIO:

1. That Clayton Codified Ordinance 1313.05 is hereby amended as indicated below. Additions are in **bold** and deletions are in ~~strike through~~.

1313.05 MAXIMUM GRASS, WEED, VEGETATION HEIGHT; ENFORCEMENT PROCEDURE; GRASS WATCH LIST.

...

(c)

...

(4) A statement that the failure to comply with the order will result in the City removing the grass, weeds and/or vegetation and the property owner will be charged ~~\$200.00~~ **\$204.00** per acre or part thereof plus a 10% administration fee; A statement that if the fee is not paid when due, a lien will be placed on the property for the amount due;

...

(e) Statement of Costs. When the City Manager causes undesirable grass, vegetation or weeds to be cut and removed as described herein, a statement of cost thereof shall be mailed to the property owner, operator, responsible party and/or occupant of such land by certified mail, return receipt requested. If the certified mail is returned to the City undelivered, then the statement of cost will be sent to the property owner, operator, responsible party and/or occupant by either regular U.S. mail delivery or hand delivery. The cost to cut and remove undesirable grass, vegetation or weeds is two hundred **and four** dollars ~~(\$200.00)~~ **(\$204.00)** per acre or part thereof plus a ten percent (10 %) fee for administration.

...

2. That the remaining provisions of Section 1313.05 of the Clayton Codified Ordinances not amended herein remain unchanged and in full effect.

3. That this Ordinance shall be effective as an exception to any ordinance, resolution or other legislation of the City of Clayton, Ohio, inconsistent with this Ordinance or which imposes additional requirements for effectiveness or validity.

4. That in accordance with Charter Section 4.031(B) the requirement that this ordinance be read on two (2) different days is dispensed with by affirmative vote of at least five (5) of the members of Council.

5. That unless this Ordinance is immediately enacted the public peace, health, safety and welfare will be detrimentally affected because the grass cutting season is approaching and the approved amendments to CCO 1313.05 adopted herein are necessary to promote the expedient administration of the Exterior Property Maintenance Code as it relates to grass cutting and weed removal and procedures related thereto in order to better ensure and protect the public health, safety, and welfare as soon as possible. Accordingly, pursuant to Charter Section 4.033(A) this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the City and shall therefore be in full force and effect from and immediately upon affirmative vote of at least five (5) of the members of Council.

ADOPTED BY COUNCIL ON APRIL 18, 2024.

AUTHENTICATION:



Mayor (Presiding Officer of Council)



Clerk of Council

APPROVED AS TO FORM:



Law Director

CERTIFICATION OF PUBLICATION

This shall certify that that the text of the above referenced enactment or a summary thereof was published once in the following newspaper and a summary posted in three places of public access as designated by Council.

Name of newspaper Register Herald Date of publication April 24, 2024



CLERK