

City of Oberlin, Ohio

ORDINANCE No. 11-33 AC CMS

AN ORDINANCE AMENDING SECTION 551.04 OF THE CODIFIED ORDINANCES OF THE CITY OF OBERLIN, OHIO, TO REVISE THE PRACTICES FOR ASSESSING FEES FOR TRIMMING, REMOVING OR CUTTING TREES, WEEDS, GRASS, PLANTS, BRUSH OR SHRUBBERY WHEN THE PROPERTY OWNER FAILS TO DO SO AND DECLARING AN EMERGENCY

WHEREAS, the City Council has found and determined that both the actual costs of trimming, removing, or cutting trees, weeds, grass, plants, brush or shrubbery when the property owner fails to do so, as set forth in Section 551.04 of the codified ordinances, and the administrative costs relating thereto should be recovered; and

WHEREAS, the City Council has found and determined that the collection of such unpaid charges in a timely manner is essential.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Oberlin, County of Lorain, State of Ohio, five-sevenths (5/7ths) of all members elected thereto concurring:

SECTION 1. That Chapter 551.04 of the Oberlin Codified Ordinances is hereby amended to read as follows:

551.04 ASSESSMENT OF COSTS BY MUNICIPALITY

Whenever any tree, plant or shrubbery, or part thereof, or weeds and grasses are growing in any street, public place or upon private property contiguous to a street or sidewalk, or public place, and are trimmed or removed by the Municipality, then, after the work is done, the Municipality shall give fifteen days notice, by regular mail, to the owner of such lot or parcel of land, at his/her last known address, to pay the actual cost of such trimming or removal, plus an administrative fee of an additional fifty per cent (50%) of that cost, which notice shall be accompanied by a statement of the amount of said costs incurred and fee added. In the event the same is not paid within forty-five (45) days after the mailing of the notice, such amount shall be certified to the County Auditor by the Law Director or his/her designee for collection the same as other taxes and assessments are collected, together with a penalty of twenty-five percent (25%) of the costs and administrative fee.

SECTION 2. That it is hereby found and determined that all formal actions of this Council concerning or relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 3. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the citizens of the City of Oberlin, Ohio, or to provide for the usual daily operation of a municipal department, to wit:

“to enact amendments to the Codified Ordinances as soon as possible in order to ensure the efficient operation of the municipal government ”,

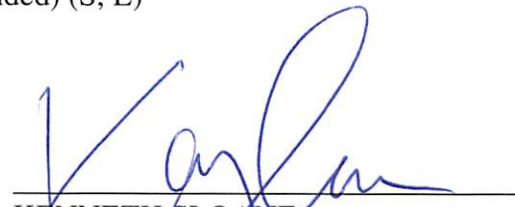
And shall take effect immediately upon passage.

PASSED: 1st Reading – May 2, 2011
2nd Reading – May 16, 2011 (Amended) (S, E)
3rd Reading –

ATTEST:



BELINDA B. ANDERSON, CMC
CLERK OF COUNCIL



KENNETH SLOANE
PRESIDENT OF COUNCIL

POSTED: 5/17/2011

EFFECTIVE DATE: 5/16/2011