

CITY OF OBERLIN, OHIO
ORDINANCE No. 19 - 26 AC CMS

AN ORDINANCE AMENDING SECTION 551.01 OF THE OBERLIN CODIFIED ORDINANCES TO PROVIDE FOR THE REGULATION OF TALL GRASS AND WEEDS ON PRIVATE PROPERTY WITHIN THE MUNICIPAL LIMITS OF THE CITY OF OBERLIN AND DECLARING AN EMERGENCY

WHEREAS, tall grass, weeds and/or other vegetation provide a breeding ground for potentially harmful insects and rodents and intrude upon the aesthetics of the City of Oberlin; and,

WHEREAS, the regulation of tall grass, weeds and/or other vegetation promotes the health, safety and general welfare of the City of Oberlin and its inhabitants.

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:

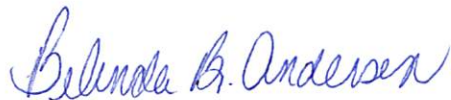
SECTION 1: That Section 551.01 of the Oberlin Codified Ordinances be and is hereby amended to read as is set forth on Exhibit A attached hereto.

SECTION 2: 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, or to provide for the usual daily operation of a municipal department to wit: to provide for the remediation of tall grass and weeds by the city without delay, and shall take effect immediately upon passage.

PASSED: 1st Reading: April 15, 2019 (A)(E)
 2nd Reading: _____
 3rd Reading: _____

ATTEST:



BELINDA B. ANDERSON, MMC
CLERK OF COUNCIL



BRYAN BURGESS
PRESIDENT OF COUNCIL

POSTED: 04/16/2019

EFFECTIVE DATE: 04/15/2019

551.01 TRIMMING TREES, GRASS, WEEDS AND SHRUBBERY.

- (a) The owner, occupant or any other person or entity having the charge or management of any lot or parcel of land within the corporate limits of the Municipality upon which a tree, plant or shrubbery, grass, weeds and/or vegetation stands shall conform to the regulations herein provided; otherwise, the City Manager or designee, shall cause such trees, plant, shrubbery, grass, weeds and/or vegetation to be trimmed or cut down and removed in accordance with such regulations and assess the cost thereof against such lot or parcel of land in accordance with the provisions of Section 551.04 of this Chapter.
- 1) The owner, occupant or any other person or entity having the charge or management of any lot or parcel of land within the corporate limits of the Municipality shall trim or cause to be trimmed such tree, plant or shrubbery so that a clear height of eight feet between the lowest branches of the same and the street or sidewalk is maintained.
 - 2) The owner, occupant or any other person or entity having the charge or management of any lot or parcel of land within the corporate limits of the Municipality shall trim or remove, as the case may require, every dead, decayed, diseased or broken tree, plant or shrubbery, or part thereof, so that the same shall not fall to the street or sidewalk.
 - 3) The owner, occupant or any other person or entity having the charge or management of any lot or parcel of land within the corporate limits of the Municipality shall cut down and remove any tree, plant or shrubbery, or any part thereof, as may be necessary to provide a clear and unobstructed view of traffic from all directions at any street intersection or to abate any nuisance in order to protect the life, limb or property of persons, drivers of vehicles or pedestrians using the street or sidewalk.
 - 4) The owner, occupant or any other person or entity having the charge or management of any lot or parcel of land within the corporate limits of the Municipality shall remove any tree, plant or shrubbery, or any part thereof, when necessary to abate a dangerous or hazardous condition which poses a threat to the life, limb or property of others.
 - 5) Except as is provided in Section 551.02(d) of this Chapter, the owner, occupant or any other person, having the charge or management of any lot or parcel of land within the corporate limits of the Municipality shall trim or cause to be trimmed, and shall maintain any grass, weeds or other vegetation not to exceed twelve inches (12") in height. For purpose of this Section, the term "weed" shall be defined as all grasses, annual plants and vegetation other than trees or shrubs; however, this term shall not include cultivated flowers and gardens.