

## ORDINANCE NO. 2019-033

**AN ORDINANCE REPLACING SECTION 521.01(u), 521.04(b) AND 521.07(a) AND ADDING NEW SECTION 521.10 OF CHAPTER 521 OF THE CODIFIED ORDINANCES OF THE CITY OF FINDLAY, OHIO.**

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Findlay, State of Ohio, two-thirds (2/3) of all members elected thereto concurring:

SECTION 1: That Section 521.01(u) of the Codified Ordinances of the City of Findlay, Ohio which reads as follows:

### 521.01 DEFINITIONS.

- (u) "Rubbish" means nonputrescible solid wastes consisting of both combustible and noncombustible wastes such as paper, wrappings, cigarettes, cardboard, tin cans, yard clippings, leaves, wood, furniture, glass, bedding, crockery and similar materials.

Be and the same is hereby amended to read as follows:

### 521.01 DEFINITIONS.

- (u) "Rubbish" means nonputrescible solid wastes consisting of both combustible and noncombustible wastes such as paper, wrappings, cigarettes, cardboard, tin cans, yard clippings, leaves, wood, furniture intended for indoor use, glass, bedding, crockery and/or similar materials.

SECTION 2: That Section 521.04(b) of the Codified Ordinances of the City of Findlay, Ohio which reads as follows:

### 521.04 JUNK AND MATERIAL STORAGE.

- (b) Unlawful to Store Certain Materials. It shall be unlawful and a nuisance per se to store, place or allow to remain on any lot, lots, parts of lots, porches, or parcel of land within the corporate limits of the City, used building materials of wood, stone, brick, cement block or any composition thereof, cans, bottles, rope, paper, rags, or any offensive material or materials of an unsightly and unsanitary nature.

Be and the same is hereby amended to read as follows:

### 521.04 JUNK AND MATERIAL STORAGE.

- (b) Unlawful to Store Certain Materials. It shall be unlawful and a nuisance per se to store, place or allow to remain on any lot, lots, parts of lots, porches, or parcel of land within the corporate limits of the City, included but not limited to, used building materials of wood, stone, brick, cement block or any composition thereof, cans, bottles, rope, paper, rags, rubbish, household waste, scrap metal, refuse, appliances, household fixtures, or any offensive material or materials of an unsightly or unsanitary nature.

SECTION 3: That Section 521.07(a) of the Codified Ordinances of the City of Findlay, Ohio which reads as follows:

521.07 WEEDS.

- (a) Cutting and Destroying. The Service Safety Director is authorized, empowered and directed to cut and destroy or cause to be cut or destroyed all noxious weeds growing in the corporate limits of the City, provided notice, as required by Ohio R.C. 731.51, has been served on any owner, lessee, agent or tenant having charge of lands on which noxious weeds are growing, and such owner, lessee, agent or tenant has failed to comply within five days after service of the notice by failing to cut and destroy noxious weeds in accordance with the notice. Prior to cutting and destroying the noxious weeds or causing them to be cut or destroyed, the Director shall determine by an actual inspection of such lands that the weeds growing thereon are noxious weeds within the meaning of Ohio R.C. 907.01 and Ohio Administrative Code Chapter 901:5-31.

Be and the same is hereby amended to read as follows:

521.07 HIGH GRASSES, WEEDS, AND/OR NOXIOUS WEEDS.

- (a) Cutting and Destroying. The Service Director is authorized, empowered and directed to cut all grasses, weeds or noxious weeds of six inches (6") or more growing in the corporate limits of the City, provided notice, as required by Ohio R.C. 731.51, has been served on any owner, lessee, agent or tenant having charge of lands on which such grasses, weeds, or noxious weeds are growing, and such owner, lessee, agent or tenant has failed to comply within five days after service of the notice by failing to cut ~~noxious~~ such grasses, weeds and/or noxious weeds in accordance with the notice. Prior to cutting and destroying the grasses, weeds, and/or noxious weeds, the Director shall determine by an actual inspection of such lands that the grasses, weeds and/or noxious weeds growing thereon are within the meaning of Ohio R.C. 907.01 and Ohio Administrative Code Chapter 901:5-31.

SECTION 4:

That new Section 521.10 be added to the Codified Ordinances of the City of Findlay, Ohio to read as follows:

521.10 NUISANCE

- (a) Prohibition. No land, building, or structure in any District shall be used or occupied in any manner in violation of the use district within which they are located, or create any dangerous, injurious, unsightly, hazardous, noxious, unhealthy, noisy, malodorous, or otherwise objectionable element or condition which is detrimental to the health, safety, comfort, or welfare of the neighboring area or the inhabitants of the City.
- (b) Abatement Such uses of lands, buildings, or structures in the manner aforesaid are hereby declared to be a public nuisance per se, and may be abated by order of any Court of competent jurisdiction.

SECTION 5: This Ordinance shall take effect and be in force from and after the earliest period provided by law.

*Janet C Russell*  
PRESIDENT OF COUNCIL *Pro-Tem*

*R. Ronald Morley*  
*Acting* MAYOR

PASSED *June 4, 2019*

ATTEST *Denise Deves*  
CLERK OF COUNCIL

APPROVED *June 4, 2019*