

VILLAGE OF HAMERSVILLE

ORDINANCE # 2025-03

AN ORDINANCE ESTABLISHING REGULATIONS FOR THE MOWING AND MAINTENANCE OF PROPERTIES AND ADJOINING AREAS AND DECLARING THE SAME AN EMERGENCY

WHEREAS, The Village of Hamersville has determined that the maintenance of yards and adjoining areas of the Village of Hamersville requires attention from all property owners.

WHEREAS, BE IT ORDAINED that the Council of the Village of Hamersville, Brown County, Ohio, at least three-fourths (3/4) of its members concurring:

Section 1: PURPOSE: The purpose of this chapter is to beautify and preserve the appearance of the Village by requiring property owners and occupants to maintain grass lawns at a uniform height within the boundaries of their property and on abutting street and alley right-of-way to prevent unsightly, offensive or nuisance conditions.

Section 2: DEFINITIONS: For use in this Ordinance, the following terms are:

- A. "Curb," "curb line," or "curbing" means the outer boundaries of a street at the edge of that portion of the street usually traveled by vehicular traffic.
- B. "Cut," or "mow" means to mechanically maintain the growth of grass, weeds, or brush at a uniform height.
- C. "Owner" means a person owning private property in the Village and any person occupying private property in the Village.
- D. "Parking" means that a part of a street in the Village not covered by a sidewalk and lying between the lot line or property line and the curb line; or on unpaved streets, that part of the street lying between the lot line or property line and that portion of the street usually traveled by vehicular traffic.

Section 3: CUTTING SPECIFICATIONS AND STANDARDS OR PRACTICE:

- A. Everyone shall cut, mow, maintain all grass, weeds, and brush upon the owner's property and adjacent to the curb line or outer boundary of any street, which includes the parking area abutting the owner's property, to a uniform height less than twelve inches (12"). Grass, weeds, and brush, which are allowed to grow more than the above specified limitations are deemed to be violations of this chapter. Any property within the Village of Hamersville, whether vacated or non-vacated, is required to conform to these specifications. In addition, property owners are responsible for trimming their trees and bushes protruding outwards into the sidewalk, alleys, rights-of-way or streets to maintain a clear right of way for pedestrians and vehicles. Weather exclusions being an issue which may inhibit an owner/tenant from compliance with this ordinance, resident safety is of the utmost importance to the Village.
- B. Every owner shall cut, mow, and maintain all grass, weeds, and brush adjacent to the curb line, including the parking area abutting the owner's property, in such a manner so as to be in conformity with and at an even height with all other grass weeds, or brush growing on the remainder of the owner's property. Grass clippings shall not be blown into or onto the sidewalk, road, alley or right-of-way. Any grass clippings inadvertently blown into said sidewalk, road, alley or right-of-way shall be swept and/or blown back into the offender's yard, to prevent any unwanted waste going into the Village storm sewer and/or causing plugging.
- C. Everyone shall cut, mow, maintain all grass, weeds, and brush upon the owner's property and adjacent to the curb line or outer boundary of any street, which includes the parking area abutting the owner's property, to allow access by Village of Hamersville maintenance to water meters and also sewage grinder pump access and control panel. The Village is not

liable for any damage to grass, shrubs, trees (decorative or otherwise), landscaping plants, mulch beds when access to the sewer grinder pump or water meter access is necessary.

Section 4: FAILURE TO COMPLY: If the property owner fails to comply with this Ordinance, the Council or its appointee shall cause the property to be mowed and/or yard clippings to be removed from said road and/or alley right-of-way.

- A. Upon notification of an alleged offense the homeowner will be given written notice with a seven 7-day grace period with which to comply with this ordinance.
- B. Any extraneous circumstances will be brought to the Village' attention upon notice by the owner/tenant.
- C. Upon seven 7-day period if compliance with this ordinance is not adhered to the Village Authority will inspect the property, unimpeded to determine if noncompliance is due to extraneous circumstances water ponding, groundwater saturation making compliance a safety risk to owner/tenant.
- D. Upon inspection and it being deemed by Village Authority if noncompliance persists the Village will abate the issue in accordance with section 5 of this ordinance.

Section 5: ABATEMENT BY VILLAGE:

A. If the property owner neglects or fails to abate as directed by Ordinance, the Village may perform the required action to abate. The Council finds that the costs for the Village to abate the nuisance herein are hereby set at \$60.00 per hour with a minimum charge of two hours per occurrence, plus time and materials utilized in satisfying the requirements of the Ordinance herein. B. In addition to any other assessment or costs recovered in this ordinance, whoever violates any provision of this chapter is guilty of a minor misdemeanor on a first offense. A separate offence shall be deemed committed each day on which a violation occurs or continues.

Section 6. COLLECTION OF COSTS: The Village Fiscal Officer shall send a statement of the total expenses incurred to the property owner who has failed to abide by the publication notice. If the amount shown by the statement has not been paid within one (1) month, the Fiscal Officer provides notice to the Village council and thereafter, the Village Council shall certify the costs to the County Auditor and such costs shall then be collected with, and in the same manner as general property taxes provided by law.

Section 7. That any ordinance or part of any ordinance or resolution conflicting with a section of this ordinance is hereby repealed.

Section 8. This Ordinance shall take effect at the earliest time allowed by law.

Section 9: This Ordinance is hereby declared to be an emergency measure for the reason that the public health, safety and welfare of the inhabitants of the Village of Hamersville, Ohio, require the immediate issuance of said ordinance and the same shall take effect and be in full force immediately upon its adoption.

Passed this 29th Day of Sept. 2025

Justin Jones, Mayor Attest:

Justin Jones

Jamie Eldridge, Clerk

Melissa Zahn

Melissa Zahn, Fiscal Officer