

RECORD OF ORDINANCES

GOVERNMENT FORMS & SUPPLIES 844-224-3338 FORM NO. 30043

Ordinance No. 2023-5

Passed May 1, 2023

ORDINANCE 2023-5 VILLAGE OF WESTON, WOOD COUNTY, OHIO

ORDINANCE AMENDING MUNICIPAL ORDINANCE SECTIONS 174.02

WHEREAS, the Village of Weston is a statutory village located in Wood County, Ohio, with powers of local self-government pursuant to Ohio Constitution Article XVIII, Section 3, and

WHEREAS, the Village Council has adopted Municipal Regulations, including, but not limited to, chapter 174, and

WHEREAS, the Village Council desires to expand definitions, regulations, and penalties in the Village Municipal Regulations.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF WESTON, WOOD COUNTY, OHIO, THAT:

SECTION 1: Section 174.02 is hereby removed and amended as follows:

§174.02 Keeping of Vehicles

(A) Definitions used in this section

A vehicle refers to any self-propelled machine that is used for transportation on public roads or streets. This includes cars, trucks, buses, motorcycles, and other similar modes of transportation. The definition also includes trailers, campers, and other mobile structures that are designed to be towed by such vehicles. Bicycles, motorized bicycles, and motorcycles/mopeds 150cc or less are excluded from this definition for the purposes of this section.

A recreational vehicle (RV) refers to any type of vehicle that is designed and used for recreational purposes, typically designed and equipped for temporary living and travel. This can include motorhomes, campervans, travel trailers, fifth wheel trailers, pop-up campers, and truck campers. Watercraft, such as boats, jet skis, and yachts, can also be considered as recreational vehicles as they are often used for leisure activities like fishing, water sports, or cruising.

An inoperable vehicle is a vehicle that meets any of the following criteria:

- 1) It is apparently not capable of being driven or moved under its own power due to mechanical or other issues.
- 2) It has missing windows, flat tires, missing lights, or is otherwise apparently unsafe to operate.
- 3) It does not meet the necessary requirements to be properly registered or otherwise legally operated on a public road.

Vehicle parts means any of the components of a vehicle, including, but not limited to wheels, tires, engine, doors, fenders, transmissions, drive shaft, and axles.

A vehicle cover refers to a cover, typically made of fabric, that is specifically designed to fit over the vehicle to protect it from various environmental factors and weather conditions.

Property owner shall include the owner of the real property on which the violation is alleged, and any tenant of such real property.

(B) Regulations on keeping of vehicles and vehicle parts on private property

- 1) No Property Owner shall allow to be stored or abandoned any inoperable vehicle on their property for more than 7 days, except within a fully enclosed building or with a proper vehicle cover within the rear yard of a property as defined by the Village's zoning ordinance.
- 2) The number of inoperable vehicles on a property must not exceed 4, even if properly covered with a vehicle cover, except when kept within a fully enclosed building.
- 3) Property Owners must ensure that recreational vehicles be parked in the side or rear yard of a property as defined by the Village's zoning ordinance, or other area authorized by the Village Code Enforcement Officer or designated official if such private parking space is unavailable.
- 4) No Property Owner shall allow vehicle parts to be stored outside of a fully enclosed building, except when covered with a tarp or other surface covering that is in good condition, resting on a surface other than the ground and for non-commercial purposes, if storing for more than 7 days.

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5) This section shall not prohibit commercial establishments engaged in the business of repairing vehicles from keeping or maintaining inoperable vehicles on their business premises while the vehicles are under repair, provided the commercial business is located in a commercial zoned district as defined by the Village's zoning ordinance.

(C) Notice to Remove, Remedy or Store; Notice of Violation

Violation of **SUB-SECTION B** will be issued to the Property Owner by priority mail and by posting at such residence a written **NOTICE TO REMOVE, REMEDY, OR STORE** after no less than 7 days of the initial inspection by the Village Code Enforcement Officer or designated official. The violation must be removed, remedied, or otherwise stored in order to gain compliance within 7 days of the written notice, unless other arrangements have been made with the Village Code Enforcement Officer or designated official.

If the violation persists beyond 14 days of the **NOTICE TO REMOVE, REMEDY, OR STORE** without arrangements, a **NOTICE OF VIOLATION** will be issued to the Property Owner at such residence, and also by certified and ordinary mail. Failure to comply within 14 days of this notice will result in penalty and declaration of public nuisance by Village Council.

(D) Penalty

Violators that fail to comply with **SUB-SECTION B** after 14 days of **NOTICE OF VIOLATION**, and were unsuccessful in remediation arrangements otherwise, are guilty of a minor misdemeanor for the first offense; and a misdemeanor of the fourth degree on subsequent offenses within a year of a previous violation.

(E) Vehicle Impoundment

If the violator fails to comply or remedy the public nuisance civil action, the courts may give the authority to the Village to tow and impound the vehicle. Costs related to the towing and impounding of the vehicle will be the sole responsibility of the owner of the vehicle or property owner or both, and costs related to the civil action of the public nuisance may also be reimbursed to the Village if authorized by the courts. Release of the vehicle requires full payment of the towing services and impounding fees and legal identification and proof of ownership. Arrangements are to be made for pickup with the Towing Service designated by the Village. Information regarding the impoundment of the vehicle can be obtained through the Village Office. Failure to lawfully claim vehicles will result in disposal of the vehicle in accordance with the Ohio Revised Code.

SECTION 2: Section 174.04 is hereby amended to remove "Inoperable Vehicles" in various paragraphs of the aforementioned section.

SECTION 3: No one will be exempt from complying with this legislation, regardless of their previous actions or status.

SECTION 4: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and of any other committees that results 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.

Date: 5/1/23

Vote on Measure: 10 Yeas 0 Nays 0 Abstentions

[Signature]
President of Council

[Signature]
Mayor

ATTEST:

[Signature]
Fiscal Officer

CERTIFICATION

I HEREBY CERTIFY THIS TO BE A TRUE AND ACCURATE COPY OF THE VILLAGE OF WESTON ORDINANCE NUMBER 2023-5, AND THAT THERE IS NO NEWSPAPER PUBLISHED IN THE VILLAGE OF WESTON, AND THAT PUBLICATION OF THIS ORDINANCE WAS MADE BY POSTING IT AT THE FIVE PUBLIC PLACES DESIGNATED BY ORDINANCE 2023-1 ON 5/2/2023.

[Signature]
CLERK, VILLAGE OF WESTON