

ORDINANCE NO. 2016-079

AN ORDINANCE AMENDING SECTION 521.05(b)(2)B.
AND SECTION 521.05((e)(2) TRIMMING OF TREES,
SHRUBS AND WEEDS REQUIRED - OF THE CODIFIED
ORDINANCES OF FAIRPORT HARBOR, OHIO DECLARING
AN EMERGENCY

WHEREAS, existing Section 521.05(b)(2)B. and Section
521.05((e)(2) required a property owner to cut and destroy
uncontrolled growth that is within 20 feet of an adjacent lot
line; and

WHEREAS, Village Council on August 23 2016 passed a
Resolution that increased this distance but that ordinance did
not delete the commercial language in Section 521.05(e)(2) and
therefore it is necessary to adopt this Ordinance to supersede
the ordinance that was adopted on August 23, 2016.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE
OF FAIRPORT HARBOR, COUNTY OF LAKE, STATE OF OHIO, AS FOLLOWS:**

Section 1. That the provisions of Section 521.05(b)(2)B
of the Codified Ordinance of Fairport Harbor, Ohio, are hereby
amended to provide as follows:

521.05(b)(2)B

(b) Definitions. As used in this section, the
following definitions shall apply:

.....

(2) "Uncontrolled growth" means all grasses and/or
weeds growing at a height of six inches or higher upon:

.....

B. Any and all lands within one hundred feet of a
lot line which is adjacent to lots or lands upon which
any residential dwelling or multi-family building
exists, whether or not said building is occupied or
used;

Section 2. That the provisions of Section 521.05(e)(2) of
the Codified Ordinance of Fairport Harbor, Ohio, are hereby
amended to provide as follows:

521.05(e)(2)

Removal of Noxious Weeds and/or Uncontrolled Growth. Upon information that:

.....

(2) Uncontrolled growth is growing on lands or property within 100 feet of any public road right-of-way or upon land within one hundred feet of a lot line which is adjacent to lots or lands upon which a residential dwelling or multifamily building exists, whether or not said building is occupied, and/or all sublots in a recorded subdivision in their entirety, the Village Administrator shall cause written notice to be served upon the owner, lessee, agent, or tenant having charge of any such lot or parcel of land, whether the same is improved or unimproved, vacant or occupied, notifying him that said noxious weeds and/or uncontrolled growth is growing on such lot or parcel of land, and that such noxious weeds and/or uncontrolled growth must be cut and destroyed within five days after the service of such notice.

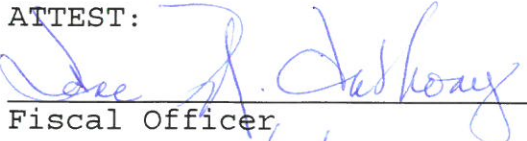
Section 3. That all formal actions of this Council concerning the passage of this Ordinance were adopted in an open meeting, and that all deliberations of this Council, or any of its Committees, which resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 4. That this Ordinance is hereby declared to be and is passed as an emergency measure, the emergency being the need to provide increased nuisance protection from uncontrolled growth that is adjacent to property owners in the Village. Said Ordinance is necessary for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the Village of Fairport Harbor.

WHEREFORE, this Ordinance shall be in full force and effect as provided by law.

Passed by Council this 6th day of September, 2016.


MAYOR TIMOTHY S. MANROSS

ATTEST: 
Fiscal Officer

ADOPTED 9/6/2016