

ORDINANCE C-26-93

AN ORDINANCE TO MAKE AMENDMENTS TO CHAPTER 521 OF THE CODIFIED ORDINANCES OF THE CITY OF GROVE CITY, OHIO AND TO DECLARE AN EMERGENCY

WHEREAS, contained within sections of Chapter 521, there is established an enforcement official; and

WHEREAS, under present department staffing levels, other employees in addition to those in the Code, may have responsibility for enforcement; and

WHEREAS, an emergency exists for the health, safety and welfare of the citizens in that enforcement of certain violations can only be done by one individual.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GROVE CITY, STATE OF OHIO, THAT

SECTION 1. Section 521.08(e) titled "Littering or Dumping of Garbage or Rubbish" which reads:

- (e) If any business establishment, in order to function, creates trash items, discarded items or rubbish as described in Section 521.08(a), then sufficient containers shall be provided on such establishment which will appropriately enclose such trash. All containers sufficiently as to not create a nuisance as established by the Chief Building Official or the Code Enforcement Officer.

IS HEREBY AMENDED TO READ:

- (e) If any business establishment, in order to function, creates trash items, discarded items or rubbish as described in Section 521.08(a), then sufficient containers shall be provided on such establishment which will appropriately enclose such trash. All containers sufficiently as to not create a nuisance as established by the Chief Building *and Zoning Officer and/or his designate*.

SECTION 2. Section 521.11(b) titled "Storage of Waste Materials Prohibited" which reads, in part:

- (b) Upon information that waste materials, as specified in subsection (a) hereof, have accumulated on the premises within this City, the Code Enforcement Officer, or any person within such department designated by him, . . .

If, at the discretion of the Code Enforcement Officer, it shall be determined that this is an on-going problem with a specific property, he may be empowered to issue a summons to the owner of record or present tenant for Mayor's Court without such service as stated in this subsection (b).

IS HEREBY AMENDED TO READ, IN PART:

- (b) Upon information that waste materials, as specified in subsection (a) hereof, have accumulated on the premises within this City, the *Chief Building and Zoning Official*, or any person within such department designated by him, . . .

If, at the discretion of the *Chief Building and Zoning Official and/or his designee*, it shall be determined that this is an on-going problem with a specific property, he may be empowered to issue a summons to the owner of record or present tenant for Mayor's Court without such service as stated in this subsection (b).

SECTION 3. Section 521.11(c) and (c)(2) titled "Failure to Comply After Notice" which read, in part:

- (c) The Code Enforcement Officer shall determine that the waste on a particular property constitutes a hazard and/or nuisance, . . .
- (c)(2) In the event that the owner or other persons in charge thereof fail to pay such expenses within five days after being notified in writing of the amount thereof by the Code Enforcement Officer, . . .

IS HEREBY AMENDED TO READ, IN PART:

- (c) *The Chief Building and Zoning Official and/or his designee*, shall determine that the waste on a particular property constitutes a hazard and/or nuisance, . . .
- (c)(2) In the event that the owner or other persons in charge thereof fail to pay such expenses within five days after being notified in writing of the amount thereof by the *Chief Building and Zoning Official and/or his designee*, . . .

SECTION 4. Section 521.16(a) titled "Deposit of Dead Animals, Offal, Etc. Upon Land or Water" which reads, in part:

- (a) . . . , or after notice thereof in writing from the Director of Public Safety.

IS HEREBY AMENDED TO READ, IN PART:

- (a) . . . , or after notice thereof in writing from the *Chief Building and Zoning Official and/or his designee*.

SECTION 5. Section 521.18(c)(1) titled "Order for Removal, Violation Penalty" which reads, in part:

- (c)(1) In the event of a violation of subsection (b) above, the Safety Director shall give notice to cease such violation to the owner, . . .

IS HEREBY AMENDED TO READ, IN PART:

- (c)(1) In the event of a violation of subsection (b) above, the Safety Director *and/or his designee* shall give notice to cease such violation to the owner, . . .

SECTION 6. For reasons stated in the preamble and made a part hereof, this ordinance is hereby declared an emergency measure and shall go into immediate effect.

Brian L. Buzby
Brian L. Buzby, President of Council

Passed: 3-15-93
Effective: 3-15-93

Richard L. Stage
Richard L. Stage, Mayor

Attest:

Tami K. Kelly
Tami K. Kelly, Clerk of Council

I Certify that this ordinance is correct as to form.

Thomas Clark
Thomas Clark, Director of Law