

VILLAGE OF YELLOW SPRINGS, OHIO

ORDINANCE 2019-42

REPEALING SECTIONS 674.03 “REMOVAL OF TREES, WEEDS AND GRASSES BY VILLAGE; NOTICE” OF THE CODIFIED ORDINANCES OF THE VILLAGE OF YELLOW SPRINGS, OHIO AND ENACTING NEW SECTION 674.03 “REMOVAL OF TREES, WEEDS AND GRASSES; NOTICE AND ENFORCEMENT”

WHEREAS, Section 674.03 of the Codified Ordinances of the Village of Yellow Springs, Ohio provides the requirements for the Village to trim or cut any noxious weeds not removed by the owner; and

WHEREAS, Village Council has determined it would be in the best interest of the Village to no longer trim or cut any trees, weeds or grasses not on Village owned property; and

WHEREAS, Village Council has determined that instead it should be replaced with the issuance of a court appearance citation for a minor misdemeanor; and

WHEREAS, Village Council has determined that it would be in the best interest of the Village to repeal section 674.03 entitled “Removal of Trees, Weeds and Grasses; Notice and Enforcement”, and adopt a new section 674.03 entitled “Removal of Trees, Weeds and Grasses; Notice and Enforcement”

NOW, THEREFORE, COUNCIL FOR THE VILLAGE OF YELLOW SPRINGS, OHIO, HEREBY ORDAINS THAT:

Section 1. Section 674.03 entitled “Removal of Trees, Weeds, and Grasses by Village; Notice” of the Codified Ordinances of the Village of Yellow Springs, Ohio be repealed.

Section 2. A new Section 674.03 entitled “Removal of Trees, Weeds, and Grasses; Notice and Enforcement” of the Codified Ordinances of the Village of Yellow Springs, Ohio be enacted to read as set forth in Exhibit A with new language underlined and **bolded** and deleted language in ~~strike through~~, which is attached hereto and incorporated herein.

Section 4 This ordinance shall take effect and be in full force at the earliest date permitted by law.

\_\_\_\_\_  
Brian Housh, President of Council

Passed: 12-2-2019

Attest: \_\_\_\_\_  
Judy Kintner, Clerk of Council

ROLL CALL

Brian Housh \_\_Y\_\_    Marianne MacQueen \_\_Y\_\_    Kevin Stokes \_\_Y\_\_  
Lisa Kreeger \_\_Y\_\_    Kineta Sanford \_ABSENT\_\_

## EXHIBIT A

### **674.03 REMOVAL OF TREES, WEEDS AND GRASSES BY VILLAGE; NOTICE AND ENFORCEMENT.**

In the event the owner does not trim or remove any tree, plant, shrubbery, grass or weeds, or any part thereof, in accordance with the provisions of this chapter, then the Village Manager is hereby authorized and it is hereby declared to be his or her duty to enforce the provisions of this chapter. After ~~five~~ ten days' notice, by regular mail or doorknocker notification, to the owner of such lot or parcel of land at his or her last known address, or best obtainable address, to trim or remove such tree, plant, shrubbery, grass or weeds, or any part thereof, the Village Manager shall cause ~~to be trimmed or removed such tree, plant or shrubbery, or part thereof, and shall cause all grass and weeds to be cut and removed.~~ the issuance of a court appearance citation for a minor misdemeanor.