

ORDINANCE 2016- 07
**TO AMEND ORDINANCE 2009-18 AND THE INTERNATIONAL PROPERTY
MAINTENANCE CODE TO DESIGNATE A CODE OFFICIAL, TO DECLARE
VIOLATIONS AS A MINOR MISDEMEANOR, AND
TO PROVIDE MONETARY FINES**

WHEREAS, in Ordinance 2009-18, the Village adopted the 2009 International Property Maintenance Code (IPMC); and

WHEREAS, the Village has received several complaints regarding property owners who fail to maintain their property in accordance with the provisions of the IPMC; and

WHEREAS, to resolve these complaints, and to ensure the public health, safety, and welfare of Village citizens by ensuring compliance with property maintenance standards, to preserve aesthetics, and ensure a viable Village as a desirable community, the Village seeks to implement and amend certain provisions of the IPMC to ensure productive and diligent enforcement of the property maintenance regulations;

WHEREAS, Planning Commission for the Village of Centerburg agreed with the findings and recommended that the IPMC be amended to accomplish this goal;

WHEREAS, the Village Council, after review and consideration, agrees and adopts the findings, and the recommendation;

NOW THEREFORE, be it ordained by the Council of the Village of Centerburg as follows:

Section 1: Pursuant to Section 103.2 of the IPMC, Council appoints the Village Administrator or his designee as the “code official” as defined in the IPMC, with all powers and duties set forth therein.

Section 2: Pursuant to IPMC Section 106.3, Council declares that violations of any and all provisions of the IPMC constitute a misdemeanor, and the Village Administrator or his designee is authorized to institute criminal and/or civil proceedings to enforce the provisions of the IPMC and recover any fines imposed accordingly.

Section 3. Any person who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted within the limits provided by state or local laws. Each day that a violation continues after due notice has been served shall be deemed a separate offense. For a first offense, any person who shall violate any provision of this code, or fail to comply therewith, or with any of the requirements thereof, shall be guilty of a misdemeanor of the fourth degree. For a subsequent second or third offense in a five (5) year

period, any person who shall violate any provision of this code, or fail to comply therewith, or with any of the requirements thereof, shall be guilty of a misdemeanor of the third degree. For a subsequent fourth or greater offense in a five (5) year period, any person who shall violate any provision of this code, or fail to comply therewith, or with any of the requirements thereof, shall be guilty of a misdemeanor of the first degree. Violation penalties shall be as provided in Section 501.99 of the Codified Ordinances of the Village of Centerburg. Each day that a violation continues shall be deemed a separate offense.

Section 4. That all other provisions of Ordinance 2009-18 and the IPMC shall remain unchanged.

WHEREFORE, this Ordinance shall take effect and be in force on the earliest date allowed by law from and after its passage and approval by the Mayor.

DATE PASSED May 2, 2016

PRESIDENT OF COUNCIL

ATTEST [Signature]
CLERK OF COUNCIL

MAYOR

APPROVED AS TO FORM:

DATE APPROVED: 5-2-16

[Signature]
LEGAL COUNSEL

I hereby certify that the ordinance or a summary of the ordinance was published once a week for two consecutive weeks on _____, 2016 and _____, 2016 in the *Mount Vernon News* in conformance with the Ohio Revised Code.

CLERK-TREASURER