

ORDINANCE NO. 1368

AN ORDINANCE TO AMEND AND UPDATE THE NUISANCE REGULATIONS OF THE VILLAGE OF POWHATAN POINT, OHIO, AND REPEALING ANY PROVISION OF ANY ORDINANCE AND/OR RESOLUTION INCONSISTENT THEREWITH

WHEREAS, the Village of Powhatan Point, Ohio, has determined that it is in the best interest for the public health, safety, and welfare of the citizens of the Village of Powhatan Point, Ohio, to update the nuisance ordinances and the violations for noncompliance as set forth in Chapters _____ of the Codified Ordinances of Powhatan Point, Ohio, and

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE OF POWHATAN POINT, OHIO, AS FOLLOWS:

SECTION 1: No person or entity shall cause or permit a public nuisance to be or remain in or upon any structure, premises, or other place, of which that person or entity is the owner, lessee, tenant, or occupant.

SECTION 2: "Public nuisance" means a condition that exists when:

(a) Any structure is so out of repair and dilapidated that, if it were permitted to remain, would endanger the life, limb, or property of persons or property upon the public streets or public ways adjacent thereto by reason of the collapse of such building or structure or by the falling of objects therefrom; or

(b) Any tree, stack, or other object standing upon property is in such condition that, if it were permitted to remain, would endanger the life, limb, or property of persons or property upon the public streets or public ways adjacent thereto by the falling of objects therefrom; or

(c) Any excavation or cellar upon property that is unguarded or remains in such condition that, if it were permitted to remain, would endanger the life, limb, or property of persons or property upon the public streets or public ways adjacent thereto, by falling or being cast therein; or

(d) Any accumulation of earth, rubbish, or other materials which attract and propagate vermin, rodents, or insects that endanger the public health; or

(e) Any accumulation of rubbish, refuse, or waste materials, including tires, that, because of its location and character, is unsightly and interferes with the reasonable enjoyment of property by neighbors, detrimentally affects property values in the surrounding neighborhood or community, or materially interferes with the prevention or suppression of fire upon the premises;

(f) Any structure is so out of repair that it constitutes a fire hazard because of its condition. For purposes of this subsection, a building that is vacant, unguarded, or open at doors or windows, shall be deemed a fire hazard; or

(g) There is accumulation in any structure or on any property of rubbish or other materials in an amount and in a condition that constitutes a fire hazard by reason of the likelihood of its catching on or communicating fire; or

(h) Any structure that has been damaged by a fire and is allowed to remain in such condition for at least ninety days, unless the Code Enforcer has approved, in writing, a plan and timeline for reconstruction of the structure; or

(i) The conduct of any activity on any property which by reason of noxious odors generated thereby, or of smoke, dust, or dirt being cast therefrom, is harmful to the public health, welfare, or safety, or materially interferes with the peaceful and lawful use, comfort, and enjoyment of owners or occupants of a proximate property; or

(j) The presence on any premises of a botanical species classified as a noxious weed by the Ohio Department of Agriculture that exceeds ten inches in height or that, regardless of height, is spreading or about to spread mature seeds; or,

(k) The presence on any premises of turf grasses exceeding ten inches in height; or

(l) Any structure becomes so out of repair and dilapidated that, due to lack of adequate maintenance or neglect, it becomes unsafe for occupancy, endangers the public health, welfare, or safety of occupants, or causes such a condition of blight that it materially interferes with the peaceful enjoyment and lawful use of owners or occupants of a proximate property; or

(m) The conduct of any activity on any property that, between the hours of 11:00 p.m. and 7:00 a.m., generates loud, unnecessary, or unusual noise or any noise which either annoys, disturbs, injures, or endangers the comfort, repose, health, peace, or safety of others; or

(n) There is an accumulation of any dirt, filth, rubbish, garbage, waste, leaves or clippings, boxes, or any other matter of an unsightly or unsanitary nature, in such a manner that such matter could become dangerous to the public health, comfort and safety of others, that such matter could be blown into any street, alley, park, public ground, sidewalk, or property of another, or such matter could be deposited into any plumbing fixture that it may obstruct or render unwholesome any sanitary sewer or watercourse; or

(o) Any structure, fence, wall, shed, house, swimming pool, any part of any of the foregoing; or any pole or smoke stack; or any excavation, basement, cellar, sidewalk subspace, wharf or dock, which in its entirety or in any part thereof, by reason of the condition in which the same is permitted to be or remain, shall or may endanger the health, life, limb or property, or cause any hurt, harm, inconvenience, discomfort, depreciation, damage, or injury to any one or more persons or to any other property in the Village; or

(p) Any swimming pool, pond, or other body of water that is abandoned, unattended, unfiltered, or otherwise not maintained, resulting in the water becoming polluted by bacterial growth, algae, remains of insects, remains of deceased animals, reptiles, rubbish, refuse, debris, or any other material, which, because of its location, becomes an unhealthy, unsafe, or unsightly condition; or

(q) Any appliance, such as refrigerators, with a capacity of one and one-half cubic feet or more and an opening of fifty square inches and which has a door or

lid equipped with hinge, latch or other fastening device capable of securing such door or lid, which is abandoned, discarded, or knowingly permitted to remain on premises in a place accessible to children; or

(r) Leaving any putrid substances on any lot or land, or failing to remove all obstructions from culverts, covered drains, or antral watercourses as provided in Ohio Revised Code 715.47; or

(s) Failing to keep sidewalks in repair and free from snow, ice, or other obstructions; or

(t) Any condition that violates any of the maintenance standards set forth in the Codified Ordinances of Powhatan Point, Ohio, whether those maintenance standards are currently existing or such standards are adopted in the future; or

(u) Any dangerous structure as defined in the Codified Ordinances of Powhatan Point, Ohio, whether that definition is currently existing or such definition is adopted in the future; or

(v) Any dangerous structure which, because of its condition, is unsafe, unsanitary, or dangerous to the health, morals, safety, or general welfare of the people of the Village; or

(w) The storage of any junk car on any premises. As used in this subsection, "junk car" means any licensed or unlicensed motor vehicle or any used vehicle propelled or intended to be propelled by power other than human power and which is in an inoperative or partially dismantled condition; or any licensed or unlicensed vehicle that is self-propelled or towed and which is in inoperative or partially dismantled condition. As used in this subsection, "inoperative condition" means incapable of being propelled under its own power in its present condition, and "partially dismantled condition" means that some part of a motor vehicle is missing, which part is ordinarily an essential component of the motor vehicle. As used in this subsection, "vehicle" includes, but is not limited to, passenger cars and trucks, motorhomes, campers, motorcycles, mopeds, snowmobiles, jet skis, boats, tractors, earth moving equipment, dump trailers, flatbed trailers, and wagons. This subsection shall not apply to vehicles in an enclosed building officially recognized by the Belmont County Auditor as a taxed structure; to commercial garages; to repair shops or used car dealers; or to operators of junkyards appropriately licensed and in compliance with the ordinances of this Village and operating within their own property lines. For purposes of this subsection, covering a vehicle with a tarp does not remove a vehicle from public view and under no circumstances will any property owner, whether residential or commercial, or any tenant or resident, be permitted to tarp, place under a carport, or otherwise mask any of the examples mentioned above; or

(x) The storage of any shipping containers on a property for longer than thirty (30) days; or

(y) Any condition exists which has been declared, or at any point is declared, a public nuisance by common law or the Ohio Revised Code.

SECTION 3: When a complaint is made or visual inspection discloses to the Mayor or their or designee of the existence of a public nuisance as defined in Section 2, the Mayor or their

designee shall promptly inspect, or cause to be inspected by the Code Enforcer, the premises on which it is alleged such public nuisance exists.

SECTION 4: For the purpose of enforcing this Ordinance, the Mayor or designee is authorized, at any reasonable time, to enter upon and inspect any premises or property within the Village when there is a reasonable cause to believe that a public nuisance, as defined in this Ordinance, exists.

SECTION 5: If either the Mayor or designee, or the Code Enforcer, finds that a public nuisance exists and that it should be abated, abatement of such nuisance shall proceed in accordance with the provisions of this Ordinance below.

SECTION 6: Should the Mayor or designee, or the Code Enforcer, find that a public nuisance as defined in this Ordinance exists, the Mayor or a designee shall cause photographs of such nuisance to be made. The Mayor or a designee shall serve a standard notice of violation conforming to the requirements of Section 7 of this Ordinance on each person and legal entity identified by the records of the Belmont County Auditor as being responsible for the payment of ad valorem property taxes levied upon the real estate upon which said nuisance is found in a manner authorized by Section 9 of this Ordinance. The Mayor or designee may also send the standard notice of violation to the lessee, tenant, or occupant of the premises.

SECTION 7: The standard notice of violation shall: (i) describe the premises on which the public nuisance has been found to exist with reasonable certainty; (ii) describe the conditions constituting the public nuisance; (iii) state that the person or entity served with the standard notice of violation has seven calendar days in which to take one of the actions described in Section 8 of this Ordinance; (iv) state whether the Mayor or designee, or the Code Enforcer, finds the public nuisance to constitute an emergency; (v) describe the remediation necessary to abate the public nuisance, which may include repair, rehabilitation, and/or vacation of the premises; and (vi) specify the actions to be taken by the Village pursuant to this Chapter upon failure to take one of the actions described in Section 8 of this Ordinance within the seven-day time limitation.

SECTION 8: In cases in which demolition is not required for abatement, a person or entity served with a standard notice of violation shall have seven calendar days from receipt of the notice of violation to take one of the following actions: (i) fully and completely abate the public nuisance; (ii) work out a schedule, satisfactory to the Mayor or designee, for the nuisance abatement, with sufficient surety acceptable to the Village to guarantee completion on schedule; or (iii) appeal the determination of the Mayor or designee of the existence of a public nuisance and/or the remedy required to the Nuisance Abatement Board by filing a written notice of appeal with the Mayor or designee. If a person or entity served with a standard notice of violation commences an appeal to the Nuisance Abatement Board in accordance with this Section, the Board shall affirm, reverse, or modify the determinations made by the Mayor or designee. For purposes of this subsection, "sufficient surety acceptable to the Village to guarantee completion on schedule" affords the Village the sole discretion to select the necessary surety, which may include but not be limited to a cash bond or letter of credit.

SECTION 9: The standard notice of violation may be served by any of the following methods:

- (i) hand delivery;
- (ii) posting a notice of violation on the subject premises; or
- (iii) sending certified and ordinary U.S. Mail, addressed to the usual place of residence or customary place of business of the person or entity being served, as indicated by current tax records of the Belmont County Treasurer or the real property records of the Belmont County Recorder.

If deemed necessary, the notice of violation may be served by more than one of the above methods. Copies of the notices of violation shall be entered into the alleged violator's file.

SECTION 10: If no party served with a standard notice of violation takes appropriate action to abate the nuisance, makes arrangements for later abatement of the nuisance that are acceptable to the Mayor, or institutes an appeal of the standard notice of violation to the Nuisance Abatement Board within seven calendar days following receipt of the standard notice of violation, the Mayor or designee is authorized to take immediate action to abate the nuisance. In the exercise of this authority, the Mayor may direct municipal employees to enter upon the premises and perform the remediation work described in the standard notice of violation or may engage one or more contractors to enter upon the premises and perform the remediation work described in the standard notice of violation provided, however, that all expenditures required to engage the services of a contractor are approved in the manner required by the Ohio Revised Code regarding competitive bidding. Alternatively, the Mayor may commence appropriate legal or administrative proceedings. In the event the Mayor elects to institute civil or criminal judicial proceedings or to pursue administrative remedies, the Solicitor is authorized to commence such actions without further authorization by ordinance.

SECTION 11: Should the Mayor or designee, or the Code Enforcer, find that a public nuisance as defined in this Ordinance exists, and that abatement by demolition may be required, the Mayor or a designee shall cause photographs of such nuisance to be made. As otherwise permitted in the Village's Ordinances, the Mayor or designee shall have the express authority to engage any engineers or consultants to evaluate the need for demolition in a particular case.

SECTION 12: The Mayor shall cause a thorough examination of the records of the Belmont County Auditor, Clerk of Courts, Recorder, Treasurer, and any other public records as necessary, to be made and shall identify all persons and entities in possession of a legal interest of record in the real estate upon which the public nuisance is found to exist. The Mayor shall serve a demolition notice of violation conforming to the requirements of Section 13 of this Ordinance on each person and entity possessing an interest of record in the real estate. Service shall be made in conformity with the requirements of Section 14 of this Ordinance.

SECTION 13: The demolition notice of violation shall: (i) describe the premises on which the public nuisance has been found to exist with reasonable certainty; (ii) describe the conditions constituting the public nuisance; (iii) specify that an owner has thirty calendar days within which to either fully and completely abate the nuisance via demolition or work out a schedule, satisfactory to the Mayor or designee, or the Code Enforcer, for the demolition, with sufficient surety acceptable to the Village to guarantee timely completion of the abatement according to schedule;

and (iv) inform the interested parties of the date and time of the pre-scheduled adjudicatory hearing date before the Nuisance Abatement Board ("NAB"). The hearing date shall be set no less than thirty calendar days after the date of the demolition notice of violation. The NAB shall affirm, reverse, or modify the determinations made by the Mayor or designee, or Code Enforcer, in the demolition notice of violation, including the existence of the public nuisance and the demolition remedy deemed necessary by the Mayor or designee, or Code Enforcer. For purposes of this subsection, "sufficient surety acceptable to the Village to guarantee completion on schedule" affords the Village the sole discretion to select the necessary surety, which may include but not be limited to a cash bond or letter of credit.

SECTION 14: The demolition notice of violation shall be served by either hand delivery, or both the posting of a notice of violation on the subject premises and via certified and ordinary U.S. Mail, addressed to the usual place of residence or principal place of business of each person and entity entitled to receive the notices of violation, as indicated by current tax records of the Belmont County Treasurer or the real property records of the Belmont County Recorder. Judgment lien holders shall be served at the address last known to the Clerk of Courts. Corporate entities or limited liability companies shall be served at the address of the registered agent as filed with the Ohio Secretary of State. Tenants and other persons in possession of the premises shall be served at the premises that are subject to the abatement proceeding.

SECTION 15: The final decision of the Nuisance Abatement Board regarding demolition shall be delivered to all persons entitled to notice in accordance with Section 14 of this Ordinance via hand delivery, or via certified and ordinary U.S. mail, and a copy of the final decision shall be posted on the subject premises. Upon the decision of the Nuisance Abatement Board determining that demolition is required for abatement of a nuisance, the Mayor is authorized to abate the nuisance through demolition through such legal or administrative channels as are deemed most appropriate or through use of either Village or private labor to effectuate the necessary nuisance abatement.

SECTION 16:

(a) The Nuisance Abatement Board ("NAB") is hereby established and shall be comprised of two council members appointed annually at the first council meeting of the year, or as soon as possible thereafter, and three disinterested citizens of the Village who shall be appointed by the Mayor and confirmed by Council.

(b) The NAB may, by a majority vote of its entire membership, organize and adopt bylaws for its own governance provided they are consistent with the Ohio Revised Code and with any ordinances of the Village. This shall also include the appointment of a secretary who shall be responsible for keeping minutes and all other papers related to proceedings of the NAB.

(c) The NAB may adopt all procedural rules as may be necessary or beneficial for the conduct of its hearings.

(d) The NAB may affirm, reverse, or modify the finding of a public nuisance and the issuance of the abatement order, including a demolition order, by a majority vote. Upon timely appeal, it shall have jurisdiction to review all notices of standard violations issued under Section 6 of this Ordinance and all demolition notices of violation issued under Section 11 of this Ordinance

(e) The NAB shall meet as necessary. A majority of its members must be present to conduct a hearing.

(f) Any notice of appeal of a standard notice of violation must be made in writing and delivered to the Mayor on or before seven calendar days after the date on which the standard notice of violation was served. An appeal of a standard notice of violation may only be initiated by the owner to whom the standard notice of violation is directed, or by the owner's attorney. The notice of appeal must include a written statement requesting a hearing signed by the owner or adversely affected party or by that party's attorney, a copy of the notice of violation being appealed, and a brief statement as to why they believe the standard notice of violation should be reversed or modified.

SECTION 17:

(a) The hearing for an appeal of a standard notice of violation shall occur not less than ten calendar days nor more than sixty calendar days after the Mayor's receipt of the notice of appeal. The hearing for the review of a demolition notice of violation shall occur on the date specified in the demolition notice of violation.

(b) The hearing before the NAB shall be an evidentiary hearing and shall be open to the public. At all hearings conducted pursuant to this section, any party may be represented by legal counsel. The rules of evidence utilized by courts shall not be applicable in hearings before the NAB. The NAB is empowered to subpoena witnesses and take testimony under oath.

(c) Aside from representatives or agents of the Village with knowledge of the alleged public nuisance, only individuals to whom a standard notice of violation or a demolition notice of violation have been addressed, or their attorneys, have the right to participate in an appeal or review before the NAB. The NAB, however, may, within its discretion, hear from other witnesses with knowledge of alleged nuisance, such as owners or occupants of adjacent or neighboring properties.

(d) Within thirty calendar days after the evidentiary hearing, the NAB shall issue a written decision containing findings of fact and a conclusion as to whether the decision of the Mayor or designee, or the Code Enforcer, as set forth in a notice of violation shall be affirmed, reversed, or otherwise modified in whole or in part. All decisions by the NAB shall be in writing. The decision may authorize action by the Mayor or designee, on behalf of the Village, to abate the nuisance, including through demolition. Action by the Mayor or designee shall be through such legal or administrative channels as are deemed most appropriate or through use of either Village or private labor to abate the nuisance, including through demolition.

(e) A copy of the NAB's decision shall be mailed via certified mail and via regular U.S. Mail, to the last known address of the owner or interested party who participated in the hearing. It shall be the responsibility of every owner and interested party to keep the NAB apprised of his or her current mailing address. For purposes of appeal pursuant to Chapter 2506 of the Ohio Revised Code, the final decision will be deemed to have been entered on the date that the NAB's decision is mailed.

(f) If the NAB affirms the findings in a demolition notice of violation, no demolition by the Village shall take place sooner than thirty calendar days after the date of the NAB's decision.

SECTION 18:

(a) Should the public nuisance not be abated as provided in the notice given pursuant Section 6 or 11 of this Ordinance, the Mayor or designee shall have the right to enter upon the premises to abate such public nuisance. The Mayor or designee shall be accompanied by law enforcement if there are any safety concerns. In abating any public nuisance, the Mayor or designee may take such action as is necessary to complete the abatement of the same and should it be practicable to sell or salvage any material resulting from such abatement, the Mayor may cause the same to be sold at public or private sale at the best price obtainable and keep an account of the proceeds thereof. Such proceeds shall be deposited in the General Fund of the Village and any difference in the amount so received and the cost of the abatement shall be reported to Council, which shall levy an assessment against the premises upon which such nuisance was abated and cause such assessment to be certified and collected as other assessments by the Village.

(b) Should the proceeds of the sale of any material salvaged in the course of such abatement exceed the cost thereof, the amount of such excess shall be paid to the owner of the premises upon filing a claim thereof and proof of title and right to such surplus.

(c) The Mayor or designee may utilize any labor or equipment of the Village in making such abatement or the Mayor may contract privately for the abatement of the nuisance provided that Council authorizes the expenditures of such funds.

(d) Any and all expenses or costs incurred under this Chapter for the abatement, including removal, repair, alteration, securing, boarding, or demolition of a building or structure shall be paid by the owner of the land and/or responsible person as provided in Ohio Revised Code 715.261. If the owner and/or other responsible person fails to pay for the costs within thirty days after receipt of notice from the Mayor of a statement of the charges and costs incurred, the Mayor may certify such amount to the Fiscal Officer. The Fiscal Officer shall promptly make a written return to the Belmont County Auditor of the action under this section with a statement of the total costs and expenses, the amount credited for salvage, if any, and a proper legal description of the premises. Certification to the County Auditor is for the purpose of making such costs and expenses a lien upon the property, to be collected as other taxes and returned to the Village with accounting thereof in accordance with Ohio Revised Code 715.261.

(e) As an alternative method to that in Subsection (d) above, any expenses incurred by the Village for nuisance abatement under this Chapter may be deemed a utility service charge and added to the following month's bill for water and sewer services furnished to the premises. Thereafter, nonpayment of the balance shall be grounds for termination of water and sewer services in accordance with procedures generally established for non-payment of utility service charges.

SECTION 19:

(a) Whenever a public nuisance exists as defined in Section 2 of this Ordinance and the nature thereof constitutes an emergency as defined in subparagraph (b) of this Section, the Mayor or designee may take immediate action to abate the nuisance and such abatement may take place without prior notice to the titled owner of the premises on which the public nuisance exists. Notice of the action taken to abate the nuisance shall immediately be sent to the titled owner by certified mail with a return receipt requested and posted on the premises.

(b) As used in this section, "emergency" means an unforeseen combination of circumstances that calls for immediate action in order to preserve the public health, safety, welfare, or property against an imminent risk of physical harm.

(c) In any proceeding pursuant to this section, the determination that a public nuisance exists and constitutes an emergency as defined in subparagraph (b) of this Section shall be made solely by the Mayor or the Code Enforcer. As otherwise permitted in the Village's Ordinances, the Mayor or designee shall have the express authority to engage any engineers or consultants to evaluate the need for emergency abatement.

SECTION 20: This Ordinance shall be deemed to be an enlargement and not a limitation or restriction on the power or authority of the Village or any officer thereof to take action or bring any suit or proceeding in respect to public nuisances otherwise provided for by law or ordinance of the Village.

SECTION 21: No person shall interfere with any municipal officer, designee, assistant, subordinate, employee, or agent while they are engaged in or carrying out the abatement of a nuisance as set forth in this Ordinance.

SECTION 22:

(a) Notwithstanding and in addition to all sections of this Ordinance, the Mayor is authorized to enter into an Abatement, Demolition and Lien Agreement with the approval of a property owner or other responsible person to abate any public nuisance as defined in Section 2 of this Ordinance.

(b) In the event an Abatement, Demolition and Lien Agreement is executed by the Mayor and the property owner under this Section, no further notice is required to be given to the property owner regarding the nuisance and its abatement.

(c) Any and all expenses or costs incurred under this Chapter for nuisance abatement, including the removal, repair, alteration, securing or boarding of a building or structure shall be paid by the owner of the land and/or other responsible person as provided in Ohio Revised Code 715.261, which amount shall be included in the Abatement, Demolition and Lien Agreement. Counsel for the Village is then authorized to certify the costs described herein to the Belmont County Auditor for the purpose of making such costs and expenses a lien upon the property, to be collected as other taxes and returned to the Village with accounting thereof in accordance with Ohio Revised Code 715.261. In addition, and as an alternative method of obtaining payment of such expenses and costs, Village may deem those expenses a utility service charge and collect them as provided in Section 18.

SECTION 23:

(a) The Village adopts the provisions of Ohio Revised Code 3929.86 where applicable and shall follow the procedures established herein and whereby in certain specified situations insurance proceeds recoverable for fire-damages structures shall be deposited with the Village to secure the cost and expenses incurred by the Village for removal, repairs or securing of fire-damaged buildings or structures on the property pursuant to the Ohio Revised Code.

(b) The Fiscal Officer is hereby designated as the officer of the Village authorized to carry out duties of municipal officers under Ohio Revised Code 3929.86 and shall perform all duties in compliance therewith, including the establishment of a special fund known as the Fire Damaged Structures Account, Insurance Proceeds, and shall receive therein and disburse therefrom funds in accordance with the provisions of Ohio Revised Code 3929.86.

SECTION 24: No officer, agent or employee of the Village shall be rendered personally liable for any damage that may accrue to persons or property as a result of any act required or permitted in the discharge of duties under this Chapter. Any suit brought against any officer, agent or employee as a result of any act required or permitted in the discharge of his duties under this Chapter shall be defended by the Solicitor or the insurance carrier until final determination of the proceedings therein.

SECTION 25: It is the intention of Council that each separate provision of this Ordinance shall be deemed independent of all other provisions herein, and it is further the intention of Council that if any provision of this Ordinance is declared invalid, all other provisions hereof shall remain valid and enforceable.

SECTION 26:

(a) The owner, tenant, business, or person in control of property that is deemed a public nuisance, as defined in this Ordinance, who fails or refuses to comply with any notice or order to repair, vacate or demolish the public nuisance given by any person authorized by this Chapter is guilty of a minor misdemeanor and shall be fined not more than one hundred dollars (\$100.00) for each offense. A separate offense shall be deemed committed each day that such public nuisance is permitted to exist after the time specified for the abatement thereof by the owner or occupant in any notice as provided for in this Chapter.

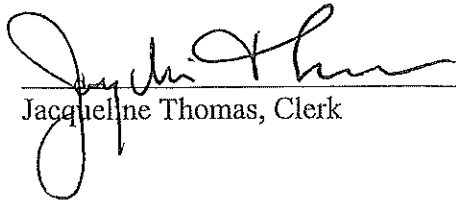
(b) Any owner, tenant, business, or person who has pleaded guilty or been convicted of an offense under any provision of this Ordinance, or a substantially equivalent offense in another jurisdiction, within the previous five years shall be guilty of a misdemeanor of the third degree, punishable as provided in Section 501.99.

(c) Whoever violates the provisions of this Ordinance shall be guilty of a misdemeanor of the second degree, punishable as provided in Section 501.99.

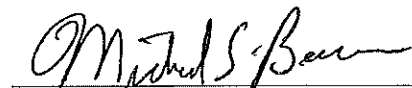
First Reading: 3/17/24
Second Reading: 4/7/24

Passed: 11/21/24

ATTEST:


Jacqueline Thomas, Clerk

SIGNED:


Michael E. Beaver, Mayor