

RECORD OF ORDINANCES

Ordinance No. 2016-04

Passed 3-8, 2016

AN ORDINANCE ADOPTING THE INTERNATIONAL PROPERTY MAINTENANCE CODE, 2015 EDITION AND DECLARING AN EMERGENCY

WHEREAS, Council for the Village of Thurston believes that poorly maintained buildings or other structures, directly or indirectly, represent a threat to the health, safety, and welfare of the general public as well as to persons living on adjoining properties or in the area; and

WHEREAS, Council for the Village of Thurston believes that poorly maintained buildings or other structures, directly or indirectly, represent a threat to property values or the residential or commercial desirability or adjoining property or property within the area; and

WHEREAS, Council for the Village of Thurston believes that poorly maintained buildings or other structures, directly or indirectly, unreasonably interferes with the reasonable and lawful use and enjoyment of other premises in the area; and

WHEREAS, Council for the Village of Thurston now wants to adopt the 2015 edition of the International Property Maintenance Code, regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures in the Village of Thurston; providing for the issuance of permits and collection of fees therefor; repealing all other ordinances or parts of laws in conflict therewith; and

NOW, THEREFORE, BE IT ORDAINED, BY THE COUNCIL OF THE VILLAGE OF THURSTON, OHIO THAT:

SECTION 1: That a certain document being marked and designated as the International Property Maintenance Code, 2015 edition, as published by the International Code Council, be and is hereby adopted as the Property Maintenance Code of the Village of Thurston, in the State of Ohio for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code on file in the office of the Village of Thurston are hereby referred to, adopted, and made a part hereof, as if fully set out in this legislation, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

SECTION 2: The following sections are hereby revised:

Section 101.1. Insert: [NAME OF JURISDICTION] as "Village of Thurston"

Section 103.5. Insert: [APPROPRIATE SCHEDULE] "There shall be no fee schedule as of this time, unless changed so by future legislation."

Section 112.4. Change: "shall be liable to a fine of not less than [AMOUNT] dollars or more than [AMOUNT] dollars." to "shall be liable to a fine of not less than \$50 (fifty dollars) or more than \$2,500 (twenty-five hundred dollars)."

Section 302.4. Insert: [JURISDICTION TO INSERT HEIGHT IN INCHES] as "6 inches."

Section 302.8. Addition to Exception: Current towing businesses may keep unlicensed/inoperative motor vehicles on their property for periods of no more than 60 days at a time when done so in the course of normal business processes.

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Ordinance No. _____ Passed _____, 20____

Section 304.14. Insert: [DATES IN TWO LOCATIONS] as "January" to "December".

Section 308.4. ADD: 308.4 All garbage and rubbish containers may be left at the curb for pickup no earlier than 24 hours before the scheduled pickup time and left out no later than 24 hours after the scheduled pickup time. Containers must be kept away from curbs and sidewalks during non-scheduled times. Any violation of Section 308 will result in a charge of \$10 for every day the violation is not remedied.

Section 602.3. Insert: [DATES IN TWO LOCATIONS] as "January" to "December".

Section 602.4. Insert: [DATES IN TWO LOCATIONS] as "January" to "December".

SECTION 3: That if any section, subsection, sentence, clause or phrase of this legislation is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Village of Thurston hereby declares that it would have passed this law, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

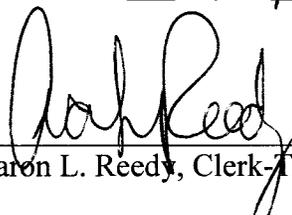
SECTION 4: Nothing in this legislation or in the Property Maintenance Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 3 of this law; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this legislation.

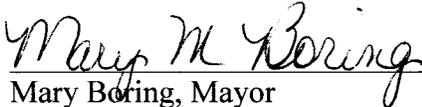
SECTION 5: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of Council and that all deliberations of the Council and any of the decision making bodies of the Village of Thurston which resulted in such formal actions were in meetings open to the public in compliance with all legal requirements of the State of Ohio.

SECTION 6: All prior legislation, or any parts thereof, which is/are inconsistent with this Ordinance is/are hereby repealed as to the inconsistent parts thereof.

SECTION 7: Council declares this to be an emergency measure immediately necessary for the preservation of the public peace, health, and safety of this municipality and the further reason that Village Council needs create these regulations immediately in order to preserve the health and safety of Village residents and begin enforcing better maintenance. Wherefore, provided this Ordinance receives the required affirmative votes of Council, this Ordinance shall take effect and be in force immediately upon passage by Council and approval by the Mayor.

Passed in Council this 8 day of March 2016.

ATTEST: 
Aaron L. Reedy, Clerk-Treasurer


Mary Boring, Mayor

APPROVED:

Approved as to form this 2nd day of March 2016.



Brian M. Zets, Esq.
Village Solicitor