

ORDINANCE NO. 24-22 AS AMENDED

AN ORDINANCE PREVENTING ANY PERSON, FIRM, CORPORATION, OR ASSOCIATION, REGARDLESS OF INTENT, TO LEAVE FURNITURE, JUNK, LITTER, RUBBISH, OR ANYTHING ELSE OF AN UNSIGHTLY NATURE AT THE CURBSIDE OR ALLEY FOR MORE THAN 24 HOURS AND DECLARING AN EMERGENCY

WHEREAS, the City has adopted Ordinances to protect the public health, safety and sanitation of the City for the protection of its residents and their property; and

WHEREAS, one of the purposes of adopting new Ordinances is to protect the health, safety, and welfare of all persons and occupants of all premises and to prevent the blighting of City Neighborhoods by establishing minimum standards relative to the control of furniture, junk, litter, rubbish, or anything else of an unsightly nature accumulating at the City's curbsides and alleys; and

WHEREAS, this Council finds and determines that the accumulation of furniture, junk, litter, rubbish, or anything else of an unsightly nature at the City's curbsides and alleys constitutes a nuisance detrimental to the health, safety, and welfare of the community in that such conditions tend to interfere with the enjoyment of and reduce the value of private property and create urban blight; and

WHEREAS, this Council finds and determines that such conditions need to be regulated, abated, and prohibited; and

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Port Clinton, County of Ottawa and State of Ohio:

Section 1. No person, firm, corporation, or association, regardless of intent, shall leave furniture, junk, litter, rubbish, or anything else of an unsightly nature at the curbside or alley for more than 24 hours.

Section 2. All furniture, junk, litter, rubbish, or anything else of an unsightly nature shall be taken to the curbside or alley no earlier than 5:00 p.m. the day before you arrange for collection of the items.

Section 3. All furniture, junk, litter, rubbish, or anything else of an unsightly nature shall be stored in an inconspicuous location at the Residential Unit for storage until the items can be placed at the curbside or alley for collection. Unless, because of sanitary, safety or other factors, the Safety Service Director gives prior permission to place items elsewhere at a particular residential unit.

Section 4. To protect the health, safety, and welfare of any person, the Chief of Police, or his designated representative, shall have the authority to conduct inspections and re-inspections and file Criminal Complaints in a Court of competent jurisdiction for

violations when furniture, junk, litter, rubbish, or anything else of an unsightly nature is left at the curbside or alley for more than 24 hours.

Section 5. Whenever the Chief of Police, or his designated representative, determines, or has reasonable grounds to believe that a violation exists, the Chief, or his designated representative, shall file a Criminal Complaint setting forth the alleged violation advising the owner of the land, or the person having charge of the land, that such violation occurred.

Section 6. Whoever violates this Section is guilty of a minor misdemeanor. Each day such violation is committed or permitted to continue, after the initial 24 hours to abate, shall constitute a separate offense and shall be punishable as such hereunder. The sentencing court shall, in addition to or in lieu of the penalty provided in this section, require a person, firm, corporation, or association, who violates this section to remove the furniture, junk, litter, rubbish, or anything else of an unsightly nature from the curbside or alley.

Section 7. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council or committees, and that all deliberations of this Council, and any of its committees, that resulted in those actions were in meetings open to the public, in compliance with the law.

Section 8. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City, and for the further reason that this Ordinance is required to prevent the blighting of neighborhoods located in the City of Port Clinton; **wherefore**, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

Passed: August 9, 2022

Lisa A. Sarty
President of Council

Attest: Kelly Scangle
Clerk of Council

Approve August 9, 2022
[Signature]
Mayor