ORDINANCE NO. 2026- 2223

AN ORDINANCE AMENDING SECTIONS 557.01, 557.02, 557.03, 557.04, 557.05 AND 557.06 OF CHAPTER 557 WEEDS AND HIGH GRASS OF THE CODIFIED ORDINANCES OF THE CITY OF CAMPBELL.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CAMPBELL, STATE OF OHIO:

SECTION 1. That CHAPTER 557 WEEDS AND HIGH GRASS OF THE CODIFIED ORDINANCES OF THE CITY OF CAMPBELL shall be amended to read as follows:

CHAPTER 557

WEEDS, HIGH GRASS, PROPERTY NUISANCES, AND STREET DEBRIS

557.01 PURPOSE AND PUBLIC NUISANCE DECLARATION.

The purpose of this chapter is to protect the public health, safety, and welfare of the residents of the City of Campbell by establishing reasonable regulations governing excessive vegetation, weeds, litter, debris, and related nuisances upon private property.

The accumulation or existence of excessive grass, weeds, noxious vegetation, litter, debris, or other hazardous or unsanitary conditions upon property within the City is hereby declared to constitute a public nuisance when such conditions threaten public health or safety, create blight, harbor vermin, obstruct visibility or passage, create fire hazards, negatively impact neighboring properties, or otherwise interfere with the comfort and welfare of the public.

557.02 PROHIBITED CONDITIONS.

No owner, lessee, occupant, agent, tenant, property manager, corporation, limited liability company, or any person having charge or control of property within the City shall permit or maintain any of the following conditions:

(a) Grass, weeds, or other vegetation exceeding eight (8) inches in height upon any property, excluding cultivated flowers, gardens, shrubs, trees, agricultural crops, or decorative landscaping maintained in a sanitary condition.

(b) Noxious weeds or vegetation permitted to mature, seed, spread, or create a public nuisance.

(c) Accumulations of litter, garbage, refuse, rubbish, junk, cans, bottles, paper, boxes, discarded furniture, construction debris, automobile parts, appliances, tires, or any unsightly, unsafe, or unsanitary material.

(d) Bushes, shrubs, trees, vegetation, or other growth obstructing or encroaching upon sidewalks, streets, alleys, curbs, traffic visibility, pedestrian passage, or public rights-of-way.

(e) Any condition constituting a fire hazard, rodent harborage, insect infestation, or threat to public health or safety.

557.02 (a) PLANTING ON DEVIL STRIP/SIDEWALK STRIP PROHIBITED

(a) that the planting of flowers, vegetables, plants, shrubs, trees, herbs, crops or any type of vegetation is hereby prohibited on the devil strip/sidewalk strip in the City of Campbell. (Ord. 2027-2027 passed 10/02/2024).

557.03 NOTICE OF VIOLATION.

(a) Upon determination that a violation of this chapter exists, the Director of Administration, Code Enforcement Officer, or authorized designee shall issue a written Notice of Violation to the owner or responsible party.

(b) Notice may be served by either of the following methods:

(1) Depositing the notice by ordinary first-class United States Mail addressed to the owner or responsible party at the tax mailing address maintained by the Mahoning County Auditor or other reasonably ascertainable address; OR

(2) Posting the notice in a conspicuous location upon the property or principal structure.

(c) Service shall be deemed complete upon the date of mailing or posting, whichever method is utilized.

(d) The notice shall provide the responsible party five (5) calendar days from the date of service to correct the violation.

(e) Failure to actually receive mailed notice shall not invalidate enforcement proceedings when notice has been mailed in accordance with this section.

(f) If the owner or responsible party cannot reasonably be identified or located, the City may post notice upon the property and such posting shall constitute sufficient notice.

557.04 CONTINUING NUISANCE; SUBSEQUENT VIOLATIONS.

(a) Once notice has been served upon a property pursuant to Section 557.03, no additional notice shall be required for subsequent violations occurring upon the same parcel during the same calendar year.

(b) Any subsequent violation occurring within the same calendar year after an initial notice has been served shall constitute a continuing nuisance.

(c) Upon determination of a subsequent violation, the City may immediately enter upon the property and abate the nuisance without further notice.

(d) The City may employ municipal employees, contractors, equipment, or other necessary resources to perform such abatement.

(e) Nothing herein shall prohibit the issuance of criminal citations in addition to nuisance abatement procedures.

557.05 ABATEMENT COSTS; LIENS.

(a) The costs incurred by the City for nuisance abatement under this chapter shall be the personal obligation of the owner and/or responsible party and may be assessed against the property.

(b) Minimum abatement charges shall be:

(1) Two Hundred Twenty-Five Dollars ($225.00) for cutting grass, weeds, or vegetation;

(2) Two Hundred Dollars ($200.00) for removal of litter or refuse by hand;

(3) Three Hundred Dollars ($300.00) for removal requiring heavy equipment, trailers, or specialized cleanup.

(c) Additional administrative costs, labor, disposal fees, contractor charges, equipment costs, legal expenses, and other associated expenses may also be assessed.

(d) If such costs remain unpaid for thirty (30) days, the Director of Finance or authorized official may certify the costs to the Mahoning County Auditor to be placed upon the tax duplicate as a lien against the property pursuant to Ohio law.

(e) The City may pursue collection through any lawful means in addition to certification as a lien.

557.06 BLOWING OR DEPOSITING GRASS AND DEBRIS INTO STREETS PROHIBITED.

No person or entity shall blow, sweep, rake, deposit, discharge, or otherwise place grass clippings, leaves, weeds, brush, dirt, gravel, garbage, debris, or any other material into or upon any public street, alley, storm sewer, sidewalk, or public right-of-way within the City.

557.99 PENALTY.

(a) A first violation of Sections 557.01 through 557.06 shall be classified as a civil infraction and shall not constitute a criminal offense. The City may impose an administrative fine not exceeding Two Hundred Twenty Dollars ($225.00) in addition to any abatement costs assessed under Section 557.05.

(b) Any person who commits a second or subsequent violation of Sections 557.01 through 557.06 within the same calendar year shall be deemed a habitual offender and may be charged with a misdemeanor of the fourth degree, in addition to the City's authority to abate the nuisance and assess all associated costs.

(c) Any person who knowingly refuses to comply with a Notice of Violation, or who fails to correct a violation after the expiration of the compliance period, may be charged with a misdemeanor of the fourth degree, regardless of whether it is a first or subsequent violation.

(d) Any person who obstructs, interferes with, threatens, or attempts to prevent City personnel, contractors, or officials from performing inspections or nuisance abatement under this chapter shall be guilty of a misdemeanor of the fourth degree.

(e) Any violation of this chapter that creates a dangerous nuisance condition, including but not limited to fire hazards, rodent harborage, or conditions posing an immediate threat to public health or safety, may be prosecuted as a misdemeanor of the fourth degree.

(f) Whoever violates Section 557.06 (blowing or depositing grass, leaves, or debris into streets, sidewalks, or storm sewers) shall be guilty of a misdemeanor of the fourth degree for a first offense.

(g) A second violation of Section 557.06 within two (2) years shall constitute a misdemeanor of the third degree.

(h) A third violation of Section 557.06 within two (2) years shall constitute a misdemeanor of the second degree.

(i) A fourth or subsequent violation of Section 557.06 within two (2) years shall constitute a misdemeanor of the first degree.

(j) Each day a violation continues after expiration of the compliance period shall constitute a separate offense.

(k) The imposition of a civil or criminal penalty shall not preclude the City from recovering all nuisance abatement costs, administrative fees, and related expenses pursuant to Section 557.05.

SECTION 2. That this Ordinance shall take effect and be in enforce from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS 17 **DAY OF** June **2026.**

GEORGE LEVENDIS, COUNCIL PRESIDENT

ATTEST:

DINA HAMILTON, CLERK OF COUNCIL

APPROVED:

BILL VALENTINO, MAYOR

ORDINANCE SPONSOR:
MAYOR BILL VALENTINO

FILED WITH THE MAYOR: 6-17-20
APPROVED BY THE MAYOR: 6-17-20

APPROVED AS TO FORM:

LAMPRINI MATHEWS, DIRECTOR OF LAW

I, Dina Hamilton, Clerk of Council of the City of Campbell, County of Mahoning and State of Ohio, do hereby certify that the foregoing ORDINANCE is a true and correct copy of ORDINANCE No. 2020-2223, passed in Council on the 17th day of JUNE 2020, and now on file in the files of my office.

CLERK OF COUNCIL