RECORD OF ORDINANCES

GOVERNMENT FORMS & SUPPLIES 844-224-3338 FORM NO. 30043

Ordinance No. 2034 *Passed* October 19, *20* 26

AN ORDINANCE AMENDING SECTION 1307.99 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF MOUNT GILEAD, OHIO, TO ESTABLISH GRADUATED PENALTIES FOR REPEAT VIOLATIONS OF CHAPTER 1307 (BLIGHT CONTROL)

WHEREAS, the Council of the Village of Mount Gilead finds that repeated violations of Chapter 1307, Blight Control, create ongoing nuisances, adversely affect neighboring properties, and increase costs incurred by the Village; and

WHEREAS, Council desires to encourage compliance with Chapter 1307, Blight Control, through the establishment of graduated penalties for repeat offenders;

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF MOUNT GILEAD, OHIO:

Section I.

That Section 1307.99, "Penalty," of the Codified Ordinances of the Village of Mount Gilead be amended to read as follows:
1307.99 PENALTY.

(a) Except as otherwise provided by law, whoever violates any provision of this Chapter shall be guilty of:

1. A **minor misdemeanor** for a first offense;
2. A **misdemeanor of the fourth degree** for a second offense committed within two (2) years after the date of conviction for a first offense under this Chapter; and
3. A **misdemeanor of the third degree** for a third or subsequent offense committed within two (2) years after the date of conviction for a prior offense under this Chapter.

(b) For purposes of this section, each day that a violation continues after expiration of the notice period required by this Chapter shall constitute a separate offense.

(c) The penalties imposed by this section shall be in addition to, and not in lieu of, any authority of the Village to enter upon property, abate a nuisance, certify costs to the County Auditor, assess costs against the property, or pursue any other remedy authorized by the Codified Ordinances or the Ohio Revised Code.

(d) The Village Solicitor is authorized to institute an action seeking temporary, preliminary, or permanent injunctive relief to prevent, restrain, abate, or remedy any violation of this Chapter and to pursue any other civil, criminal, or administrative remedy available under the Codified Ordinances or applicable law. The remedies provided in this section are cumulative and not exclusive.

Section II.

The existing provisions of Section 1307.99 inconsistent herewith are hereby repealed.

Section III.

It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any committees thereof that resulted in such formal action were conducted in meetings open to the public in compliance with Section 121.22 of the Ohio Revised Code.

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*Ordinance No.*_____ *Passed* _____, *20*_____

Section IV.

Attest: _____
Cathy Davis, Fiscal Officer

_____
Donna J. Carver, Mayor

APPROVED: _____
Matthew Griffith, Solicitor