

**ORDINANCE NO. O-2009-18**

**AN ORDINANCE AMENDING THE GENERAL OFFENSES CODE OF THE VILLAGE OF WINDHAM BY CHANGING THE RESTICTION ON THE HEIGHT OF NOXIOUS, POISONOUS, AND HARMFUL WEEDS OR VINES**

**WHEREAS**, the general offenses code of the Village of Windham has been adopted to protect the public and promote the health, safety and welfare of the Village of Windham; and

**WHEREAS**, the Council of the Village of Windham has determined that the health, safety and welfare will be advanced by earlier detection and removal of noxious weeds.

**NOW THEREFORE BE IT ORDAINED** by the Council of the Village of Windham, Portage County, Ohio the majority of the members thereto concurring that:

**SECTION 1:** Section 555.02 Notice to Cut Weeds as it is presently enacted in the Village of Windham general offenses is hereby repealed.

**SECTION 2:** Section 555.02 of the Village of Windham general offenses code as set forth on the attached Exhibit "A" is hereby enacted.

**SECTION 3:** It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were accepted in an open meeting of this Council, and that deliberations of this Council and any of its committees that resulted in such formal actions were in meeting open to the public, in compliance with Section 121.22 of the Ohio Revised Code.

**SECTION 4:** This Ordinance is hereby declared to be an emergency measure necessary to preserve the public health, safety, morals and general welfare of the inhabitants of the Village of Windham, Ohio, and for the further reason that the Village of Windham Service Department needs to enforce a reduced height of noxious, poisonous and harmful weeds or vines as soon as possible, so as to prevent such plants from going to seed, for which reason this Ordinance shall go into full force and effect immediately upon its passage by two thirds of the members of Council and approved by the Mayor.

PASSED AS AN EMERGENCY IN COUNCIL this 27<sup>th</sup> day of May 2009.

Vote of Council:       Ayes: Mr. Slusher, Mr. Snyder, Mrs. Barrett, Mrs. Meszaros,  
Mrs. Rininger       Nays: None.

ATTEST:

\_\_\_\_\_  
Lloyd Billman, Fiscal Officer

APPROVED:

\_\_\_\_\_  
Robert Donham, Mayor

I hereby certify that the above Ordinance was duly published by public posting at predesignated posting places.

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Lloyd Billman, Fiscal Officer

APPROVED AS TO FORM:

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Thomas Reitz, Solicitor

**EXHIBIT "A" to Ordinance O 2009-**

**555.02 NOTICE TO CUT WEEDS.**

The owner, occupant or person having the charge or management of any lot or parcel of land situated within the Village, whether the land is improved or unimproved, vacant or occupied, within five days of written notice to do so, served upon the property owner or at the last known place of residence of such property owner if personal service cannot be had, shall cut or destroy or cause to be cut or destroyed any noxious, poisonous or harmful weeds or vines growing upon such lot or parcel of land, and prevent the same from going to seed, becoming or exceeding a height of eight inches.