

**ORDINANCE NO. 24-13**

**AN ORDINANCE TO ESTABLISH REGULATIONS FOR THE MOWING AND  
MAINTENANCE OF PROPERTIES AND ADJOINING AREAS**

**WHEREAS:** The Council of the Village of Bluffton has determined that the maintenance of yards and adjoining areas of the Village of Bluffton requires attention from all property owners.

**IT IS THEREFORE ORDAINED BY THE COUNCIL OF THE VILLAGE OF  
BLUFFTON, OHIO (at least two thirds of the members elected thereto concurring)  
THAT:**

**SECTION 1 PURPOSE.** The purpose of this chapter is to beautify and preserve the appearance of the Village by requiring property owners and occupants to maintain grass lawns at a uniform height within the boundaries of their property and on abutting street right-of-way in order to prevent unsightly, offensive or nuisance conditions.

**SECTION 2 DEFINITIONS.** For use in this Ordinance, the following terms are defined:

- A. "Curb," "curb line," or "curbing" means the outer boundaries of a street at the edge of that portion of the street usually traveled by vehicular traffic.
- B. "Cut," or "mow" means to mechanically maintain the growth of grass, weeds, or brush at a uniform height.
- C. "Owner" means a person owning private property in the Village and any person occupying private property in the Village.
- D. "Parking" means that part of a street in the Village not covered by a sidewalk and lying between the lot line or property line and the curb line; or on unpaved streets, that part of the street lying between the lot line or property line and that portion of the street usually traveled by vehicular traffic.

**SECTION 3 CUTTING SPECIFICATIONS AND STANDARDS OF PRACTICE**

- A. Every owner shall cut, mow and maintain all grass, weeds and brush upon the owner's property and adjacent to the curb line or outer boundary of any street, which includes the parking area abutting the owner's property, to a uniform height as defined in Section 4.
- B. Every owner shall cut, mow and maintain all grass, weeds and brush adjacent to the curb line, including the parking area abutting the owner's property, in such a manner so as to be in conformity with and at an even height with all other grass, weeds, or brush growing on the remainder of the owner's property.

**SECTION 4 UNIFORM HEIGHT SPECIFICATIONS.** Grass, weeds or brush shall be cut, mowed and maintained so as not to exceed the following height specifications:

- A. Developed Residential Areas – not to exceed seven inches (7")
- B. Undeveloped Residential Areas – not to exceed seven inches (7")
- C. Business and Industrial Areas – not to exceed seven inches (7")
- D. Agriculture Areas – not to exceed fifteen inches (15")

Grass, weeds, and brush which are allowed to grow in excess of the above specified limitations are deemed to be violations of this chapter. Any property within the Village of Bluffton, whether vacated or non-vacated, is required to conform to these specifications.

**SECTION 5 PUBLICATION OF NOTICE** Annual spring publication of this ordinance in an official newspaper shall serve as notice to property owners. The Village will be authorized to respond to violations without additional written notice being given. *Provided, however, that the Village Administrator may, prior to the Village abating the nuisance pursuant to this notice, will attempt to provide notice to the property owner providing a final notification that the Village will take action within seven (7) days. Said notice shall NOT be a prerequisite for Village action but is proposed as a courtesy to property owners.*

**SECTION 6 FAILURE TO COMPLY.** If the property owner fails to comply with this Ordinance, the Council or its appointee shall cause the property to be mowed. The fee for this service will be set by resolution and will be assessed against the property.

**SECTION 7 ABATEMENT BY Village.**

- A. If the property owner neglects or fails to abate as directed by this Ordinance, the Village may perform the required action to abate. The Council finds that the costs for the Village to abate the nuisance herein are hereby set at \$100.00 per hour with a minimum charge of two hours per occurrence.
- B. In addition to any other assessment or costs recovered in this ordinance, any person causing or maintaining a nuisance as defined by this ordinance, who shall fail or refuse to abate or remove the same is in violation of this Ordinance and shall be fined not more than \$100.00 per occurrence.

**SECTION 8 COLLECTION OF COSTS.** The Village Fiscal Officer shall send a statement of the total expense incurred to the property owner who has failed to abide by the publication notice. If the amount shown by the statement has not been paid within one (1) month, the Fiscal Officer *provide notice to the Village Council and thereafter, the Village Council* shall certify the costs to the County Auditor and such costs shall then be collected with, and in the same manner as general property taxes *as provided by law.*

**SECTION 9**

That is found and determined that all formal actions of the Council concerning and relating to the adoption of this ordinance were made in open meeting of this Council and

that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in accordance with all legal requirements of the Open Meetings Law including Section 121.22 of the Ohio Revised Code.

Passed and adopted this 25<sup>th</sup> day of November, 2013 by the Council of the Village of Bluffton, Ohio by the following vote:

Ayes: 6      Nays: 0      Abstain: 0

Attest:

Nancy L. Kindle  
Clerk

[Signature]  
Mayor

Approved as to form:

[Signature]  
F. Stephen Chamberlain  
Village Solicitor