

2<sup>nd</sup> Reading 1-10-2021  
3<sup>rd</sup> Reading 2-1-2021

2021-01

**ORDINANCE NO. 2020**

**AN ORDINANCE ENACTING SECTION 521.01 THROUGH 521.03, OF THE CODIFIED ORDINANCES OF THE VILLAGE OF ARLINGTON, OHIO, AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH AND DECLARING AN EMERGENCY.**

BE IT ORDAINED by the Village of Arlington, Ohio, two-thirds (2/3) of all members elected thereto concurring:

Section 1: That Section 521.01 of the Codified Ordinances of the Village of Arlington, Ohio, be enacted to read as follows:

No land, building or structure in any district shall be used or occupied in a manner in violation of the use district within which they are located or create any dangerous, injurious, unsightly, hazardous, noxious, unhealthily, noisy, malodorous, or otherwise objectionable element or condition which is detrimental to the health, safety, comfort, or welfare of the neighboring area or the inhabitants of the Village of Arlington.

Section 2: That Section 521.02 of the Codified Ordinances of the Village of Arlington, Ohio be enacted to read as follows:

No person, firm or corporation shall permit any premises within the Village of Arlington, Ohio, to be in such a state of disrepair as to be considered to be a nuisance or hazard to the health or safety of persons residing in the vicinity of the structure or of passersby. Any of the following violations shall be considered to be a nuisance and the maintenance of the structure in a deteriorating condition:

- (1) Loose bricks displaced from exterior walls or chimneys.
- (2) Cornices, gutters, and awnings, which are sagging, collapsed, or haven fallen from the structure.
- (3) Windows containing broken and jagged glass.
- (4) Open holes on the exterior of the structure whereby the interior can be viewed.
- (5) Exterior stairs, porches, balconies or steps which are in such a condition as to be unsafe to persons using them or to passerby. The fact that such person using the stairs, porch, balcony or step is a trespasser is no defense for purposes of this section.
- (6) Foundations and retaining walls caving in.
- (7) Any detached structures collapsed and falling in.
- (8) Any structure which does not have windows, doors, or other openings properly secured.
- (9) Roof-sagging to a state that structural failure is possible and materials in such disrepair that human safety becomes a concern.

Section 3: That Section 521.03 of the Codified Ordinances of the Village of Arlington, Ohio, be enacted to read as follows:

It shall be unlawful and a nuisance per se to store, place or allow to remain on any lot, lots, or parcel of land within the corporate limits of the Village of Arlington, Ohio, motor vehicles in an inoperative condition, motor vehicles unfit for further use or automobile parts. A vehicle shall be deemed a junk or inoperable vehicle whenever any one of the following occurs:

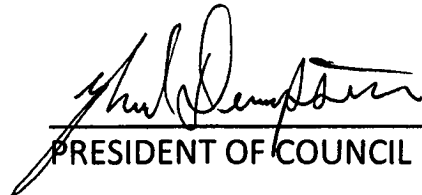
- A. The vehicle is without a valid current registration and/or license plate;
- B. The vehicle is without fully inflated tires and/or has any types of support under it;
- C. The vehicle has a substantially damaged or missing windshield, door(s), motor, transmission, or other similar major part;
- D. The vehicle is motorized but is incapable of being moved under its own power;
- E. The vehicle is abandoned;
- F. The vehicle is primarily being used for the purpose of storage;

Section 4: That Section 521.04 of the Codified Ordinances of the Village of Arlington, Ohio be enacted to read as follows:

- (a) Whoever violates any provisions of this chapter is guilty of a misdemeanor and shall be fined not less than One Hundred Fifty dollars (\$150.00).
- (b) If, within one year of the offense, the offender has been convicted of or pleaded guilty to one or more violations of Section 521.01 through 521.03, the offender is guilty of a misdemeanor of the fourth degree.
- (c) In all cases, wherein, a person has been convicted of or has pleaded guilty to a violation of Section 521.01 through 521.03, inclusive, the Court shall, in addition to any fine or sentence imposed upon the offender, order the nuisance abated within seven days.

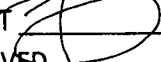
Section 5: That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety of the inhabitants of the Village of Arlington and for the further reason it is immediately necessary in order to provide for the proper enforcement of said Ordinances.

Wherefore, this Ordinance shall take effect and be in force from and after its passage and approval by the Mayor.

  
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PRESIDENT OF COUNCIL

  
\_\_\_\_\_  
MAYOR

PASSED 6-0

ATTEST   
APPROVED 2-1-2021