

## **ORDINANCE NO. 20, 2024**

### **AMENDING SECTION 905.03 OF THE ST. BERNARD CODIFIED ORDINANCES REGARDING WEED AND LITTER REMOVAL**

**WHEREAS**, the Council of the Village of St. Bernard has determined a need to amend certain portions of Section 905.03 of the Codified Ordinances to address concerns of Village residents and to reflect the Ohio Administrative Code in the matter of prohibited noxious weeds and prohibited invasive species;

**NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF ST. BERNARD, STATE OF OHIO:**

**Section 1.** That Section 905.03 of the St. Bernard Codified Ordinances shall read as follows:

#### **905.03 WEED AND LITTER REMOVAL.**

(a) Property to be Cleared. Every lot or parcel of land, whether improved or unimproved, shall be maintained free from weeds or grass growth in excess of eight (8) inches. All prohibited noxious weeds and invasive species shall be prohibited. Such weeds or grass, by reason of their unsightliness, are injurious to the public health, safety or welfare of the citizens of St. Bernard and are declared a public nuisance.

(b) Keeping Down Weeds.

(1) For the purpose of Chapter 905, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

A. "Prohibited noxious weeds," as defined by the Ohio Department of Agriculture, are weeds that reproduce by seed, spread by roots, underground stems, or other reproductive parts, and, when established, are highly destructive and difficult to control. The list of "Prohibited noxious weeds" plants are listed in Ohio Administrative Code 901:5-37-01, as updated from time to time.

B. "Invasive plant species," as defined in Ohio Revised Code 901.50, means plant species that are not native to this state whose introduction causes or is likely to cause economic or environmental harm or harm to human health as determined by scientific studies. The list of "invasive plant species" is found in Ohio Administrative Code 901:5-30-01, as updated from time to time.

C. "Weeds" shall include any and all vegetation that is not managed or maintained by the owner or person in control of the property on which all such vegetation is located which exceeds eight (8) inches in height restrictions, but shall exclude trees, shrubs, cultivated flowers, and vegetable gardens. In addition, grass of a height of eight (8) inches or more shall be deemed a weed under this definition, as shall all vegetation constituting a threat to the public health, safety, or welfare. This Section shall not apply to ornamental grasses grown as part of a landscape design.

D. "Rank" means luxuriant in growth.

E. "Litter" means garbage, trash, waste, construction debris, rubbish, ashes, cans, bottles, wires, paper, cartons, boxes, automobile parts, furniture, glass, or anything else of an unsightly or unsanitary nature.

F. "Owner" or "Person in control" shall mean the owner of the freehold estate of the premises; occupant; lessee or holder of a lesser estate in the premises; mortgagee or vendee in possession; receiver; executor; trustee; and any person, public or private entity, and/or its duly authorized agent(s), with the authority to bring a building or premises into compliance with the provisions of this code, including but not limited to any mortgagee that has filed an action in foreclosure, based on breach or default of a mortgage agreement, until title to the premises is transferred to a third party.

(2) Any owner or person in control of any lot or parcel of land which falls within the corporate limits shall keep and maintain such lot or land free and clear from all litter, prohibited noxious weeds, invasive plant species, and rank vegetation. The owner or person in control shall have the duty to remove or otherwise destroy prohibited noxious weeds and invasive plant species, and to mulch or, in the alternative, rake and remove all clippings and waste resulting from the cutting of weeds, grasses and vegetation.

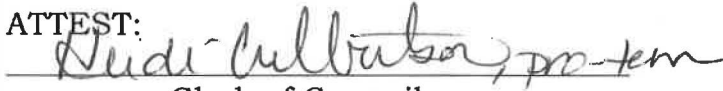
**Section 2.** It is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Passed this 22<sup>nd</sup> day of August, 2024.



President of Council

ATTEST:




Clerk of Council

Approved this 22<sup>nd</sup> day of August, 2024.



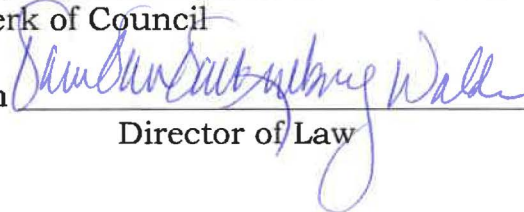
Mayor

I, CAROLINE STEGMAN, CLERK OF COUNCIL, VILLAGE OF ST. BERNARD, STATE OF OHIO, DO HEREBY testify that the publication of Ordinance No. 20, 2024, was made by posting true copies of the same in the most public places designated by Council: the Village website; and the Village social media account, for a period of fifteen (15) days or more commencing Sept 12, 2024.

ATTEST: 

Clerk of Council

DATE 8-22-2024

Approved as to form 

Director of Law

Date 8-22-2024