

ORDINANCE NO. 19-08  
CITY OF CENTERVILLE, OHIO

Sponsored by Council Member Brooks Compton on the 26<sup>th</sup> day of  
January, 2008. 9

AN ORDINANCE AMENDING SECTION  
1028.05 OF THE CENTERVILLE MUNICIPAL  
CODE TO ALLOW THE POSTING OF A  
VIOLATION ON THE PROPERTY.

WHEREAS, the City of Centerville has previously enacted regulations in the Centerville Municipal Code Section 1028.05 to enforce regulations for notice to cut shrubbery or other vegetation; and

WHEREAS, The City of Centerville previously authorized notification of violations of Section 1028.05 to be delivered via registered or certified mail or by publication in a newspaper of general circulation; and

WHEREAS, the City now intends to allow the notification requirement to be satisfied by posting notice in a prominent place on the said property.

NOW, THEREFORE, THE MUNICIPALITY OF CENTERVILLE HEREBY ORDAINS:

Section 1. That the following amendments to Section 1028.05 of the Centerville Municipal Code are hereby enacted as follows with new language to be added in *italics* and text to be deleted in ~~strikeout~~ as provided in Section 5.02 of the Centerville Charter:

**1028.05 NOTICE TO OWNER TO CUT SHRUBBERY OR OTHER VEGETATION.**

Upon information that shrubbery or other plants, trees or vegetation are growing in violation of Section 1028.04, the Manager shall cause written notice to be served on the owner of the real property or person having charge of the land that such shrubbery or other plants, trees or vegetation must be cut and destroyed within five days after service of such notice. ~~If such owner or person having charge of such land is a nonresident whose address is known, such notice shall be sent to his or her address by registered mail; if unknown, it shall be sufficient to publish such notice once in a newspaper of general circulation in the County.~~ *Such notice shall be deemed to be properly served if a copy thereof is:*

1. *Delivered personally; or*
2. *Sent by certified or first-class mail addressed to the last known address;*  
*or*
3. *Posted in a conspicuous place in or about the structure affected by such notice.*

Section 2. This ordinance shall be effective from and after the earliest date allowed by law.

PASSED THIS 26<sup>th</sup> day of January, 2009.

C. Mark Kenzler

Mayor of the City of  
Centerville, Ohio

ATTEST:

Debra A. James

Clerk of Council  
City of Centerville, Ohio

CERTIFICATE

The undersigned, Clerk of Council of the City of Centerville, Ohio, hereby certifies the foregoing to be a true and correct copy of Ordinance No. 19-08, passed by the Council of the City of Centerville, Ohio on the 26<sup>th</sup> day of January, 2009.

Debra A. James  
Clerk of the Council

Approved as to form, consistency with the  
Charter and Constitutional Provisions.  
Department of Law  
Scott A. Liberman  
Municipal Attorney