



City of Centerville

Brooks A. Compton, Mayor | Wayne S. Davis, City Manager

NOTICE OF PUBLIC HEARING Centerville City Council

Notice is hereby given that a Public Hearing shall be conducted during the Centerville Council meeting scheduled for **Monday, May 6, 2024, at 7:30 p.m.** in the Council Chambers of the Centerville Municipal Building, 100 West Spring Valley Road, Centerville, Ohio concerning Ordinance Number 11-24, An Ordinance To Amend Section 660.07, Deposit And Storage Of Junk, Junk Cars And Rubbish Of The Centerville Municipal Code To Update The Definitions And Notice Requirements.

The Ordinance is attached in full to this notice.

By order of the City of Centerville, Ohio.

Teri Davis
Clerk of Council

ORDINANCE NO. 11-24
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER _____ ON THE ___ DAY
OF _____, 2024.

**AN ORDINANCE TO AMEND SECTION 660.07, DEPOSIT
AND STORAGE OF JUNK, JUNK CARS AND RUBBISH OF
THE CENTERVILLE MUNICIPAL CODE TO UPDATE THE
DEFINITIONS AND NOTICE REQUIREMENTS.**

WHEREAS, Section 660.07 of the Centerville Municipal Code establishes rules and regulations for junk, junk cars and rubbish within the City of Centerville; and

WHEREAS, the City intends to update the ordinance definitions and notice requirements; and

WHEREAS, the City has determined it to be in the best interests of the City to update the requirements.

NOW THEREFORE, THE MUNICIPALITY OF CENTERVILLE
HEREBY ORDAINS:

Section 1. That the following amendment to Section 660.07 of the Centerville Municipal Code is 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:

660.07 DEPOSIT AND STORAGE OF JUNK, JUNK CARS AND
RUBBISH.

(a) Definitions. As used in this section:

(1) “Unlicensed, inoperative, abandoned or junked motor vehicle” means:

A. Any vehicle not capable of legal operation on public streets in accordance with applicable ordinances and laws. The fact that a vehicle is not ~~equipped with displaying a valid license plates~~ *plate and validation sticker* as required by State law shall mean that it is not capable of such legal operation on public streets. Further, an inoperative, abandoned or junked vehicle is also defined as one that is partially dismantled, wrecked or deteriorating to such an extent that its continued presence would create a negative impact on property values and/or create a blighting influence on the neighborhood.

B. A motor vehicle being stored for service and repair. However, if such motor vehicle was impounded by order of the Manager or anyone designated by him or her in accordance with the provisions of division (d) of this section, or by order of the Chief of Police, such motor vehicle shall not be considered a junk car.

- (2) "Reconditioning" means the process of restoring, refurbishing or repairing a motor vehicle, which process must be performed in an enclosed area.
- (3) "Unenclosed areas" and "unenclosed" refer to areas not enclosed by a building with walls through which one cannot see.

(b) General Prohibition; Exceptions.

- (1) No person, firm or corporation shall deposit, store, maintain or collect, or permit the deposit, storage, maintenance or collection of any unlicensed, inoperative, abandoned or junked motor vehicle in unenclosed areas on his or her premises or on any premises under his or her control which are unenclosed, or in any other place within the City, except as expressly provided by law.
- (2) The provisions of this division (b) shall not apply to the deposit and storage of junk, junk cars or rubbish in regularly established dumps, junk yards or salvage and scrap metal yards *permitted* within the City.

(c) Time Limit for Removal or Enclosure and Method of Notification. Any person violating any provision of this section shall, within 72 hours after notification of such violation by a person acting on behalf of the City, remove or cause to be removed any unlicensed, inoperative, abandoned or junked motor vehicle or have the same placed in an enclosure or building with walls through which one cannot see, and in the event of failure, within such 72-hour period, to comply with such notice, he or she shall be deemed guilty of violating the provisions of this section. Notification shall be by ~~certified or registered letter~~ *regular mail* to the owner of the real property upon which the violation occurs at the then-current tax mailing address of the owner or by personal service by either a Code Official or a City police officer. Personal service shall be considered valid and received by the owner if served upon an adult human being at said real property. ~~If such service is refused or undeliverable, notification~~ *Notification* may be made by posting in a prominent place on said property.

(d) Removal of Junk Cars by City; Impounding. The Manager or anyone designated by him or her is hereby authorized to remove or have removed any junk car left at any place within the City which is in violation of this section. Such junk car shall be impounded until lawfully claimed or disposed of in accordance with Ohio R.C. Chapter 737 or 4513.60.

(e) Penalty. Whoever violates any of the provisions of this section is guilty of a minor misdemeanor for a first offense and a misdemeanor of the third degree for each

subsequent offense. A separate offense shall be deemed committed each day during or on which a violation occurs or continues.

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

PASSED THIS _____ day of _____, 2024.

Mayor of the City of Centerville, Ohio

ATTEST:

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. _____, passed by the Council of the City of Centerville, Ohio on the _____ day of _____, 2024.

Clerk of the Council

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