

VILLAGE OF BOWERSTON
COUNTY OF HARRISON
STATE OF OHIO

VILLAGE OF BOWERSTON
ORDINANCE NUMBER 2021-5
EFFECTIVE DATE: October 19, 2021

AN ORDINANCE REPEALING AND REPLACING ORDINANCES 328 AND 329
OF THE VILLAGE OF BOWERSTON, OHIO; ORDINANCE REGULATING THE
STORAGE OF JUNK WITHIN THE VILLAGE LIMITS

WHEREAS, The Council for the Village of Bowerston, Harrison Country, Ohio, has determined that it is in the in the best interest of the community and for reasons of safety and welfare of its residents that an Ordinance be posted regulating the storage of junk within the Village.

THEREFORE, be it **ORDAINED** by the Council of the Village of Bowerston as follows:

SECTION 1. Definitions.

- (A) "Person" as used in this ordinance means any person, firm, partnership, association, corporation, company or other organization of any kind.
- (B) "Junk" means old or scrap copper, brass, rope, rags, trash, waste batteries, paper, rubber, iron, steel, and other old or scrap ferreous or non-ferreous materials. "Junk" also refers to any worn out, castoff, or discarded article or material which is ready for the destruction or has been collected or stored for salvage or conversion to some other use. And article or material which, unaltered or unchanged and without further recondition, can be used for its original purposes as readily as when new, shall not be considered "junk."
- (C) "Junk vehicle" means an inoperable, motorized vehicle. Any car, truck, van, recreational vehicle, motorcycle, snowmobile or other vehicle typically powered by an engine, excepting watercraft, that has been in stationary position for more than fourteen (14) calendar days, is apparently inoperable or requires repairs to be operable, or is unable to move a distance of twenty (20) feet under its own power on a flat surface. It may also means a vehicle that needs three (3) or more of the following criteria: (1) three (3) years old or older; (2) extensively damaged, such damage including but not limited to a broken window or windshield, missing wheels, tires, motor or transmission; (3) apparently inoperable; (4) without a valid current registration or license; (5) equal in value only to the fair market value of the scrap or parts in it.

SECTION 2. Storage of Junk as a Nuisance.

The deposit, storage, maintenance or collection of "junk", or "junk vehicle," as it is defined in this section on any private or public property is hereby declared to be a public nuisance and offensive to the public health, welfare and safety of the inhabitants of the Village.

SECTION 3. Penalties.

Whoever violates this section is guilty of a minor misdemeanor and is assessed a fine of

\$150.00 on a first offense and shall be assessed any costs incurred by the county, township or municipal corporation in disposing of such abandoned "junk motor vehicles" or "junk," less any money accruing to the county, township or municipal corporation from such disposal.

Each additional day that "junk" or a "junk vehicle" is left abandoned shall be considered a separate offense.

SECTION 4. Saving Clause

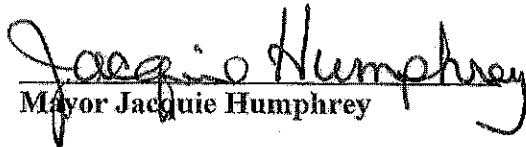
The provisions of this Ordinance are hereby declared to be severable and if any clause, word, section or provision is declared void or unenforceable, for any reason, by a court of competent jurisdiction, the remaining portions of said Ordinance shall remain in full force and effect.

SECTION 5: Effective Date

This Ordinance shall be adopted by the Council of the Village of Bowerston immediately and shall be declared to be an emergency measure necessary for the public health, welfare, continued operation of the Village and safety of the people of the Village of Bowerston.

Passed the 19th day of October, 2021.

Approved:



Mayor Jacquie Humphrey

Attest:



Heidi Trice, Fiscal Officer