

**VILLAGE OF BOWERSTON
ORDINANCE NO. 381**

**AN ORDINANCE AMENDING THE ORDINANCE REGULATING THE GROWTH
OF NOXIOUS WEEDS WITHIN THE VILLAGE LIMITS**

WHEREAS, the Council for the Village of Bowerston, Harrison County, Ohio has determined that it is in the interest of the community and for reasons of safety and welfare of its residents that an ordinance be passed amending the Ordinance regulating the growth of noxious weeds within the Village,

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

SECTION 1. That Section 1 of Ordinance No. 332, passed December 17, 2002, be amended to read as follows

(A) Any person owning or having charge of land within the Village, shall keep such property free and clear from all noxious weeds and rank vegetation.

(B) Noxious weeds and rank vegetation shall include, but shall not be limited to, the following:

(1) Any weeds such as jimson, burdock, ragweed, thistle, cocklebur, or other weeds of a like kind;

(2) Bushes of the species of tall, common or European barberry, further known as *Berberis Vulgaris* or its horizontal varieties;

(3) Any weeds, grass, or plants, other than trees, bushes, flowers, or other ornamental plants, growing to a height exceeding six (6) inches.

(C) Upon written information that noxious weeds are growing on lands in the Village and are about to spread or mature seeds, the Mayor shall cause written notice to be served on the owner, lessee, agent, or tenant having charge of such land, notifying him that noxious weeds are growing on such lands and that they must be cut and destroyed within five (5) days after service of such notice.

(D) If such noxious weeds as defined in subsection (B) hereof are not eliminated within the five (5) day period, the owner, lessee, agent, or tenant of such property shall be cited with violation of this section, and shall be guilty of a misdemeanor of the fourth (4th) degree.

(E) If such noxious weeds as defined in subsection (B) hereof are not eliminated within the five (5) day period, the Village shall also have the option of having the weeds, grass, plants or other vegetation cut, mowed or removed. Any and all costs associated with said cutting, mowing or removing of any weeds, grass, plants or other vegetation shall be assessed to the owner, lessee, agent or tenant of the offending property.

SECTION 2. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety of said Village in order to protect the health of the inhabitants of the Village; wherefore, this ordinance shall be in full force and effect from and immediately after its passage.

1st Reading
Passed this 21 day of June, 2011.

2nd Reading
Passed this 19 day of July, 2011.

Passed this 16 day of August, 2011.

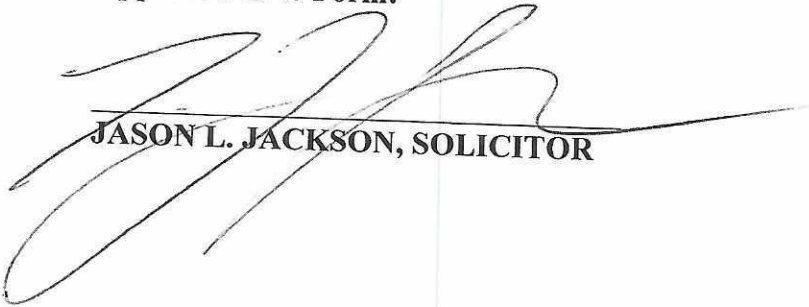
Approved:


MAYOR GEORGE BENISH

Attest:


SHIRLEY SCOTT, FISCAL OFFICER

Approved as to Form:


JASON L. JACKSON, SOLICITOR