

ORDINANCE NUMBER 2023- 03

**AN ORDINANCE TO AMEND BROOKSIDE CODIFIED
ORDINANCE 660.05 STORAGE OF INFLAMMABLE
MATERIALS; GARBAGE, AND RUBBISH
AND DECLARING AN EMERGENCY**

BE IT ORDAINED BY COUNCIL OF THE VILLAGE OF BROOKSIDE, OHIO:

Brookside Codified Village Ordinance 660.05, which reads as follows:

660.05 STORAGE OF INFLAMMABLE MATERIALS; GARBAGE AND RUBBISH

(a) No person shall keep, store, pile, erect, accumulate, maintain or permit upon any premises owned or occupied by or under the control of such person, or upon any street, alley or sidewalk adjacent thereto, any inflammable or combustible material or other trash or rubbish, including brush or tree trimmings with diameters of less than four inches. (Ord. 481. Passed 8-8-63; Ord. 06-19. Passed 12-11-06.)

(b) Whoever violates this section is guilty of a minor misdemeanor.

SHALL BE AND THE SAME IS HEREBY AMENDED TO READ AS FOLLOWS:

660.05 STORAGE OF INFLAMMABLE MATERIALS, GARBAGE, AND RUBBISH

(a) No person shall keep, store, pile, erect, accumulate, maintain or permit upon any premises owned or occupied by or under the control of such person, or upon any street, alley or sidewalk adjacent thereto, any inflammable or combustible material or other trash or rubbish, including brush or tree trimmings with diameters of less than four inches. The storage of such material shall be declared a public nuisance.

(b) Notice to Remove Garbage and Rubbish.

(1) Upon written information that materials, garbage or rubbish described in Section(a) above, are being stored in violation of division (a) above, the Mayor shall cause notice to be served on the owner and/or the person having charge of the premises that such materials, garbage, or rubbish must be removed within 3 days after the date of the notice.

(2) If the owner and/or the person having charge of the premises is a nonresident of the Village whose address is known, the notice shall be sent to his or her address by certified mail. Personal service upon the person or by posting such notice on the premises is also sufficient notice. If the address of the owner of the premises is unknown, it is sufficient to publish the notice once in a newspaper of general circulation in the County.

(c) Failure to Comply with Notice; Remedy of Village. If the owner or person having charge of the premises mentioned in division (b) of this section fails to comply with the notice required by such

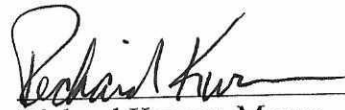
subsection, the Mayor shall cause the materials, garbage, and rubbish to be removed and may employ the necessary labor to perform the task. All expenses incurred shall be assessed against the premises and certified and collected as provided by law in the case of other assessments levied by Council. The expense to be assessed shall include the costs of any publication made pursuant to this section, the cost and expense of calculating, levying and collecting the assessments and all other necessary expenses. The remedy provided herein shall be in addition to the penalty provided in division (d) of this section.

(d) Penalty. Whoever violates any of the provisions of this section is guilty of a minor misdemeanor. A separate offense shall be deemed committed each day during or on which a violation occurs or continues. (Ord.481. Passed 8-8-63; Ord. 06-19. Passed 12-11-06.)

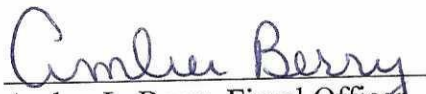
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FURTHER, this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the residents of the Village of Brookside as it is necessary to provide clarification and guidance as to the storage of inflammable materials, garbage, and rubbish in the Village and removal of the same.

PASSED at a regular meeting of the Council of Brookside held this 10th day of July, 2023.


Richard Kurner, Mayor

ATTEST:


Amber L. Berry, Fiscal Officer