

VILLAGE OF RUSHVILLE

RECORD OF ORDINANCE

Ordinance No. 23-2023

Passed 9/14/23

AN ORDINANCE PROVIDING FOR THE CARE AND MAINTENANCE OF OBSTRUCTIONS ALONG STREETS, ALLEYS AND SIDEWALKS WITHIN THE VILLAGE OF RUSHVILLE, ESTABLISHING A FINE SCHEDULE, AND REPEALING CONFLICTING ORDINANCES.

WHEREAS, the village of Rushville owns several streets, alleys and sidewalks within the village limits,

WHEREAS, each street within the village owns an easement of 15 feet on either side of the paved limit of the street;

WHEREAS, each alley within the village being paved 9 feet wide; the village owns an additional easement of 5 feet on either side of the paved limit of the alley;

WHEREAS, streets, alleys and sidewalks are main routes within the village of Rushville for many residents to travel, drive, walk, and play in and around;

WHEREAS, maintaining these streets, alleys and sidewalks clear of obstructions better serves pedestrians, motor vehicle operators, children playing, and the residents and community at large;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF RUSHVILLE, FAIRFIELD COUNTY, OHIO

Section 1. The property owner of any 15 foot easement running laterally to the main thoroughfares of the village shall maintain the defined property in a neat and well trimmed manner. The property owner shall bear the costs of trimming all trees, bushes, shrubs and other vegetation to within 2 feet from the pavement of any such street and to a height of 8 ft above the pavement, and shall ensure that site lines along the street easement are clear. In addition, no garbage containers shall remain in the easement for more than a 12 hour period before or after the scheduled collection time and date.

Section 2. The property owner of any five-foot easement running laterally to the village allees shall maintain the defined property in a neat and well-trimmed manner. The property owner shall bear the costs of trimming all trees, bushes, shrubs and other vegetation to within 2 feet from the pavement of any such street and to a height of 10 ft above the pavement, and shall ensure that site lines along the alley easements are clear. No structures or permanent or semi-permanent obstructions of any kind shall be permitted to be erected within the easement without the express written authority of the village administrator.

Section 3. If it becomes necessary for the village to trim trees, bushes, or remove structures from the street or alley easements, the cost will be paid by the property owner. The cost shall be the current hourly rate of the village maintenance crews multiplied by the time taken to remove the offending trees, bushes, or structures.

Section 4. If the above fines are not paid within 30 days of being levied, the costs will be assessed to the tax record of the property associated with the offense.

Section 5. Any ordinance or resolution in conflict with the terms of this ordinance is hereby repealed

This ordinance shall take effect on the earliest date provided by law

DATE OF PASSAGE 9-14-23

FIRST READING 7-13-23

SECOND READING 8-10-23

THIRD READING 9-14-23

ATTEST Bridy Lewis
CLERK/TREASURER

SIGNED John K. Bury
MAYOR

APPROVED AS TO FORM J. M. Bury, VILLAGE SOLICITOR