Ordinance No. 16 Passed 10-15-26

VILLAGE OF CLARKSBURG
Ross County, Ohio

AN ORDINANCE REGULATING THE STORAGE OF JUNK OR INOPERABLE MOTOR VEHICLES AND PARTS IN THE VILLAGE OF CLARKSBURG, OHIO, AND DECLARING AN EMERGENCY.

WHEREAS, the Village of Clarksburg desires to prevent and eliminate public nuisances as detrimental to the health, safety, and/or welfare of the community; and

WHEREAS junk motor vehicles and parts that are in the open are unsightly and may lead to blight;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Village of Clarksburg, that:

Section 1. Definitions.

A. "Motor vehicle" means every device in, on, or by which any person or property may be transported or drawn by power other than muscular power.
B. "Inoperable motor vehicle" means type of motor vehicle unable to move under its own power due to defective parts or missing parts and has remained in such condition for a period of not less than thirty (30) consecutive days. A motor vehicle is presumed to be in an inoperative condition if it has not been duly registered and licensed under the laws of the State of Ohio for a period of twelve (12) months or more.
C. "Unfit for further use" means any type of motor vehicle which is in such dangerous condition, has defective or missing parts, or is in such a condition generally as to be unsuitable for further use as a conveyance."

Section 2. Storage of Motor Vehicles. It shall be unlawful and a nuisance per se to store, place or allow to remain on any lot, lots, parts of lots, or parcel of land within the corporate limits of the Village motor vehicles in an inoperable condition, motor vehicles unfit for further use or automobile parts.

Section 3. Junk or Inoperable Vehicle. Motor vehicles unfit for further use, hence being defined as "junk or inoperable vehicle." A vehicle shall be deemed a junk or inoperable vehicle whenever any one of the following occurs:

A. The vehicle is without a valid current registration and/or license plate;

B. The vehicle is without fully inflated tires and/or has any types of support under it;

C. The vehicle has a substantially damaged or missing windshield, door(s), motor, transmission, or other similar major part;

D. The vehicle is motorized but is incapable of being moved under its own power;

E. The vehicle is abandoned;

F. The vehicle is primarily being used for the purpose of storage;

Nothing in this section shall be construed to prohibit the storage of the herein defined materials in a completely enclosed structure, building and/or garage. For the purposes of this ordinance, a fence, no matter how permanently affixed to real estate, shall not constitute a structure.

Section 4. Penalty.

A. Whoever violates any provisions of this Ordinance is guilty of a minor misdemeanor and shall be fined not less than one hundred dollars ($100.00).
B. If within one year of the offense, the offender has been convicted of, or has pleaded guilty to, one or more violations of this Ordinance, the offender is guilty of a misdemeanor of the fourth degree.
C. In all cases, wherein, a person has been convicted of or pleaded guilty to a violation of any section of this chapter, the court shall, in addition to any fine or sentence imposed upon the offender, order the nuisance abated within seven (7) days.
D. Nothing in this penalty section shall prevent the Village from pursuing other actions or charges under the Ohio Revised Code.

Section 5. Enforcement. This ordinance shall be administered and enforced by the Village Administrator and by any law enforcement agency with authority and jurisdiction within the Village. They shall investigate all requests under this ordinance and shall have the power to have the nuisance abated.

Section 6. Open Meeting. It is found and determined that all formal actions by the Village Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of the Village Council and that all deliberations of the Village Council, and of any of its Committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements of Section 121.22 of the Revised Code.

Section 7. Emergency. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, and welfare of the inhabitants of the Village of Clarksburg, and for the further reason that this Ordinance is required to minimize hazards to the public and to minimize blight and nuisances, and their durations to protect property; wherefore this Ordinance shall be in full force and effective immediately upon its passage.

Passed by Council on the 15th day of October, 2026, by a vote of 5 Yeas; 0 Nays.

ATTEST:

Lisa Houser. Fiscal Officer

Autumn Dunn, Mayor

Paul Woods, Council President Pro Tem

Approved as to Form:

Tom Spring, Village Attorney