

RECORD OF ORDINANCES

Ordinance No. 2018-73Passed September 19, 2018

SPONSOR: SAFETY COMMITTEE

AN ORDINANCE ADOPTING THE FEMA SCHEDULE FOR CHARGES, AMENDING CERTAIN RELATED PROVISIONS OF THE CODIFIED ORDINANCES, AND DECLARING AN EMERGENCY

WHEREAS, the Village repeatedly incurs costs and expense in connection with debris, trash and other items left on its roadways; and,

WHEREAS, the Village sometimes incurs damage to its roadways and property in connection with third-party individuals, acts and/or omissions; and,

WHEREAS, the Village finds it to be best practice to follow the Federal Emergency Management Agency guidelines and cost schedule for charging third-parties responsible for placing trash, rubble or other items on our roadways and/or damaging the same.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Mogadore, Counties of Portage and Summit, Ohio as follows:

SECTION 1: That the Village of Mogadore shall, as applicable, charge for all roadway cleanup and damage in accordance with the then current and published FEMA schedule for cost and equipment. A current copy of the FEMA schedule is attached hereto and incorporated herein.

SECTION 2: That Section 95.10 of the Codified Ordinances be amended to state as follows:

- A. No personal shall encumber any street or sidewalk. No owner, occupant, or person having the care of any building or lot of land, bordering on any street or sidewalk, shall permit the same to be encumbered with barrels, boxes, cans, articles, or substances of any kind, so as to interfere with the free and unobstructed use thereof.
- B. Persons who violate Section (A) herein shall be responsible for reimbursement to the Village for any cost incurred by the Village for removing or relocating such obstructions. The Village shall utilize the then current and published FEMA schedule for costs and equipment changes, as applicable. Failure to pay the total cost within thirty days after notice from the Clerk-Treasurer shall entitle the Village to certify the same to the Summit or Portage County, depending on the location of the offense, to be entered upon the tax duplicate be a lien upon the land owner, if applicable, to be collected as other taxes and assessments and returned to the Village pursuant to R.C. 731.54. The remedy provided for herein shall be in addition to the penalties provided in Section 95.99.