

ORDINANCE NO. 15-84

AN ORDINANCE AUTHORIZING AND DIRECTING THE VILLAGE SOLICITOR TO BRING SUIT IN THE NAME OF THE VILLAGE OF SPENCER TO ABATE A PUBLIC NUISANCE, TO AUTHORIZE PRIVATE CITIZENS OF THE VILLAGE OF SPENCER WHO ARE PARTICULARLY EFFECTED BY THE NUISANCE TO JOIN IN THE SUIT AS PARTIES PLAINTIFF AND TO DECLARE AN EMERGENCY

WHEREAS, it has come to the attention of the Council of the Village of Spencer, Ohio that a public nuisance is being maintained by Eileen M. Clark Myers at 314 North Main Street, Spencer, Ohio 44275 by the conduct of a large dog Kennel in contravention of the Village Zoning Code and by the dumping of manure immediately next to the neighbor's property line so as to be offensive, injurious and prejudicial to the neighbors and the general public and that the constant barking of dogs makes quiet enjoyment of residential property in the area impossible;

NOW THEREFORE, BE IT ORDAINED, by the Council of the Village of Spencer, Ohio, three-fourths (3/4) of its members concurring herein, as follows:

1. The Spencer Village Solicitor is hereby authorized and directed to bring a legal action for the abatement of the nuisance maintained by Eileen M. Clark Myers, and/or others at 314 North Main Street, Spencer, Ohio 44275, doing business as Von Myers Kennels, and to seek any other legal remedies which are appropriate, including but not limited to damages.

2. The Spencer Village Solicitor is further authorized and directed to allow the joinder in such lawsuit by any individual property owners of the Village of Spencer whose properties may be directly affected by said nuisance. Such property owners may be represented in the action by their own legal council if they desire.

3. This Ordinance is hereby declared to be an emergency measure necessary for the preservation of public peace, health, safety and welfare of the Village of Spencer, Ohio and for the particular reason that immediate legal action is necessary to abate the nuisance and that the Ordinance shall be in full force and effect from and after its passage.

PASSED: October <sup>24</sup>~~18~~, 1984

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Mayor

ATTEST:

*Patricia M. Wiley*  
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Clerk