

ORDINANCE NO. 1371

AN ORDINANCE REPEALING AND REPLACING SECTION 303.10 OF THE
CODIFIED ORDINANCES OF THE VILLAGE OF BETHESDA, OHIO

BE IT ORDAINED, by Council of the Village of Bethesda:

SECTION 1. Section 303.10 of the Codified Ordinances are hereby repealed, and the following is enacted in its place:

303.10 LEAVING JUNK VEHICLES ON PRIVATE PROPERTY WITH
PERMISSION OF OWNER OR OCCUPIER

(A) For purposes of this section, "junk motor vehicle" means any motor vehicle which meets any three of the following requirements:

- a. is three (3) years old or older;
- b. is extensively damaged, such damage including but not limited to any of the following: missing wheels, tires, motor, or transmission;
- c. is apparently inoperable;
- d. has a fair market value of one thousand five hundred dollars (\$1,500.00) or less;

or

e. is not registered in any state, or if registered, such registration is expired, that is left uncovered in the open on private property for more than seventy-two (72) hours with the permission of the person having the owner or occupier of the property, except if the person is operating a junk yard or scrap metal processing facility licensed under the authority of Ohio R.C. 4737.05 through 4737.12, or otherwise regulated under the authority of a political subdivision; or if the property on which the motor vehicle is left is not subject to licensure or regulation by any governmental authority, unless the owner or occupier of the property can establish the motor vehicle is part of a bona fide commercial operation; or if the motor vehicle is a collector's vehicle.

(B) The Village shall not prevent a person from storing or keeping, or restrict him or her in the method of storing or keeping, any collector's vehicle on private property with the permission of the owner or occupier of the property, except that the Village may require a person having such permission, to conceal the collector's vehicle, by means of, buildings, fences, terrain, or other suitable obstruction, any unlicensed collector's vehicle stored in the open.

(C) The Mayor shall make an inspection of properties reported to be in violation of this ordinance. The Mayor shall cause a written notice, prescribed by and endorsed by the Mayor, to be sent, by certified mail, return-receipt requested, to the owner or occupier of said property, advising said owner or occupier of the violation and granting him/her thirty (30) days from and after the date of receipt of said notice to remedy the violation without penalty.

(D) After thirty (30) days from the date of receipt of notice of violation, if the condition remains unremedied, the owner or occupier of said property shall be charged with a minor misdemeanor.
(O.R.C. 4513.65)

SECTION 2. This Ordinance shall take effect at the earliest time allowed by law.

MARTIN W. LUCAS, Mayor

CLERK'S CERTIFICATE

The undersigned Clerk of Council hereby certifies that the foregoing Ordinance was adopted by Bethesda Village Council at a regular meeting on the 21st day of November, 2016.

RICKY BURKHEAD, Clerk of Council