

Resolution 2017-12

A Resolution declaring that litter has been found on several properties within the Village of Malvern, Carroll County, Ohio, that constitutes a detriment to public health, and therefore such litter must be removed, and declaring an emergency:

NOW, THEREFORE, be it resolved by Council for the Village of Malvern, Ohio, a majority or more of its members concurring that:

Section 1: As used in this Resolution, "litter" includes any garbage, waste, peelings of vegetables of fruits, rubbish, ashes, cans, bottles, wire, paper, cartons, boxes, parts of automobiles, wagons, furniture, glass, oil of an unsightly or unsanitary nature, or anything else of an unsightly or unsanitary nature.

Section 2: After reviewing the evidence presented by the Village Administrator, this Council finds that litter has been placed on the properties within the Village identified in attached **Exhibit A**, incorporated by reference.

Section 3: This Council further finds that the litter has not been removed from the properties described in Section 2 above, and that such litter constitutes a detriment to public health.

Section 4: The Village Administrator shall cause a written notice to be served on the owner, and if different, on the lessee, agent, or tenant having charge of the littered lands described in Section 2 of this Resolution, that the litter must be collected and removed within 15 days after service of the notice, which notice shall be served in the manner provided by R.C. 731.51.

Section 5: On failure of such owner, lessee, agent, or tenant to remove the litter, the Village Administrator, through the Service Department, shall cause the litter to be removed and report all expenses incurred thereby to this Council.

Section 6: The expenses charged to any owner, if not paid by such owner, shall be reported to the County Auditor and collected as other taxes in the manner provided by law.

Section 7: All formal actions of Council relating to the adoption of this Resolution, and all deliberations of Council and any of its committees leading to such action, were in meetings open to the public as required by law.

Section 8: This Resolution is an emergency measure to provide for the immediate removal of offensive litter, considered to be a public nuisance, which is necessary for the immediate preservation of the public health, safety, and welfare. Therefore this Resolution shall go into immediate effect.

Passed this 28th day of August, 2017.



Robert DeLong, Mayor


Barb Burgess, Presiding Officer


Ashley Ring, Fiscal Officer

Prepared and approved as to form by: 
Chad Murdock, Village Solicitor