

**CITY OF SOUTH LEBANON, OHIO
ORDINANCE NO. 2026-10**

**AN ORDINANCE AMENDING THE ADOPTED 2012 INTERNATIONAL PROPERTY
MAINTENANCE CODE BY ORDINANCE 2013-08, TO ESTABLISH PROCEDURES
FOR THE ABATEMENT OF HIGH GRASS, WEEDS, AND NUISANCE
VEGETATION, ESTABLISH ABATEMENT FEES, AND TO AUTHORIZE THE
CERTIFICATION OF UNPAID CHARGES TO THE WARREN COUNTY AUDITOR.**

WHEREAS, the City of South Lebanon adopted Ordinance 2013-08, the 2012 International Property Maintenance Code; and,

WHEREAS, City Council finds it necessary to establish uniform procedures for the enforcement and abatement of violations involving excessive grass, weeds, brush, and nuisance vegetation; and,

WHEREAS, City Council finds that such conditions constitute a threat to the public health, safety, and welfare and adversely affect neighboring properties;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of South Lebanon, at least two-thirds of all members elected thereto concurring:

Section 1. That the 2012 International Property Maintenance Code, as adopted by Ordinance 2013-08, is hereby amended as set forth in Attachment "A" attached hereto and incorporated herein by reference.

Section 2. All other provisions of Ordinance 2013-08 and the 2012 International Property Maintenance Code shall remain unchanged and in full force and effect.

Section 3. Should any section, subsection, paragraph, sentence, clause, or phrase of the Ordinance be declared unconstitutional or invalid for any reason, the remainder of the Ordinance shall remain in full force and effect.

Section 4. All ordinances and resolutions of parts thereof inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 5. The recitals contained in the Whereas clauses set forth above are incorporated by reference herein.

Section 6. All formal actions of the City Council regarding this Ordinance were adopted in an open meeting of City Council in compliance with all legal requirements, including, but not limited to, Section 121.22 of the Ohio Revised Code.

Ordinance 2026-10 Abatement of High Grass, Weeds and Nuisance Vegetation

Adopted this 2nd day of July, 2026.

Linda S. Burke
Linda S. Burke, Mayor

Attest: Petrina D. Williams
Petrina D. Williams, Director of Finance/Clerk

Rules Suspended: - (if applicable)

First Reading: 6/18/26

Second Reading: 7/2/26

Vote: 4 Yeas
1 Nays

Effective Date: 8/1/26

Prepared by and approved as to form:

Chase T. Kirby
Chase T. Kirby
Law Director
City of South Lebanon, Ohio

ATTACHMENT “A”

SECTION 302.4A – WEEDS, HIGH GRASS, AND NUISANCE VEGETATION ABATEMENT.

(A) Notice of Violation.

Whenever the Property Maintenance Code Official determines that a violation of Section 302.4 exists, a Notice of Violation shall be issued requiring compliance within five (5) calendar days.

(B) Notice and Posting.

Notice may be served by regular mail, certified mail, personal service, posting upon the property, electronic mail, or any combination thereof. In addition to any other method of notice, the Property Maintenance Code Official, Zoning Manager, City Administrator, Code Enforcement Officer, or designee may post a notice placard or sign upon the property. Such placard or sign shall be placed in a conspicuous location and may remain on the property until the violation has been corrected. The posted notice shall identify the nature of the violation, provide the date by which compliance is required, and state that failure to comply may result in the City causing the property to be mowed or otherwise abated and assessing all applicable charges and fees against the property owner.

(B)(1) Any City-issued notice placard or sign physically posted upon a property pursuant to this Section shall remain the property of the City of South Lebanon. This subsection shall apply only to City-issued signs or placards installed or posted upon the property and shall not apply to paper notices, mailed notices, door hangers, correspondence, or other written communications provided by the City.

(B)(2) No owner, occupant, tenant, agent, contractor, property manager, mortgagee, trustee, receiver, or any other person shall remove, alter, deface, destroy, relocate, conceal, cover, or otherwise interfere with a City-issued notice placard or sign posted pursuant to this Section unless authorized in writing by the Property Maintenance Code Official, Zoning Manager, City Administrator, Code Enforcement Officer, or designee.

(B)(3) A notice placard or sign may only be removed by the City or after the Property Maintenance Code Official, City Administrator, Zoning Manager, Code Enforcement Officer, or designee has determined that the violation has been corrected and authorizes its removal.

(B)(4) Whoever violates this subsection shall be guilty of a Minor Misdemeanor for a first offense.

(B)(5) A second or subsequent violation occurring within two (2) years shall be guilty of a Misdemeanor of the Fourth Degree.

(B)(6) In addition to any criminal penalty, the offender shall be liable to the City for the replacement cost of the sign, administrative costs associated with replacing and reposting the sign, and any enforcement costs incurred by the City.

(B)(7) Removal, concealment, or destruction of a City notice placard or sign shall not extend, toll, or otherwise affect any compliance deadline established by the City.

(C) Right to Appeal.

(1) Any owner, occupant, tenant, property manager, mortgagee, trustee, receiver, or other person having an ownership or possessory interest in the property may appeal a Notice of Violation issued pursuant to this Section.

(2) Any appeal shall be submitted in writing to the Zoning Manager, Property Maintenance Code Official, or designee within three (3) business days of the date the Notice of Violation is issued, mailed, posted, or otherwise served.

(3) The written appeal shall state the grounds for the appeal and include any supporting documentation the appellant wishes the City to consider.

(4) Upon receipt of a timely appeal, all abatement actions under this Section shall be temporarily stayed pending a decision on the appeal unless the Property Maintenance Code Official determines that an immediate threat to public health or safety exists.

(5) Upon receipt of a timely appeal, the matter shall be scheduled for hearing before the South Lebanon Board of Zoning Appeals, acting as the Property Maintenance Code Board of Appeals pursuant to Ordinance No. 2025-22 and Section 111 of the adopted International Property Maintenance Code.

(6) The Board of Zoning Appeals shall hear the appeal and may affirm, modify, or reverse the determination of the Property Maintenance Code Official.

(7) Appeals filed pursuant to this Section shall stay enforcement of the Notice of Violation until the appeal is heard and decided by the Board of Zoning Appeals unless the Property Maintenance Code Official determines that an immediate threat to public health or safety exists.

(8) The decision of the Board of Zoning Appeals shall constitute the City's final administrative determination.

(9) If the appeal is denied, the property owner shall have five (5) calendar days from the date of the Board's written decision to bring the property into compliance before the City proceeds with abatement.

(10) Failure to file a written appeal within the time provided herein shall constitute a waiver of the right to appeal.

(11) Appeals filed pursuant to this Section shall be accompanied by a Twenty-Five Dollar (\$25.00) appeal fee. The fee shall be paid at the time the appeal is filed.

(12) Due to the seasonal and time-sensitive nature of nuisance vegetation violations, the Chairperson of the Board of Zoning Appeals may call a special meeting for the purpose of hearing appeals filed under this Section.

(13) Failure to pay the required appeal fee at the time of filing shall render the appeal incomplete and shall not stay enforcement proceedings unless otherwise determined by the Property Maintenance Code Official.

(D) Abatement Authority.

If the violation is not corrected within five (5) calendar days after issuance of the Notice of Violation, or within five (5) calendar days following a final adverse decision of the Board of Zoning Appeals, the Property Maintenance Code Official, City Administrator, Zoning Manager, Code Enforcement Officer, or designee may cause the property to be mowed, trimmed, cleared, or otherwise brought into compliance.

(E) Performance of Work.

The City may utilize City personnel, equipment, or independent contractors to perform such work.

(F) Repeat Violations.

Following the issuance of a Notice of Violation for a property during a calendar year, any subsequent violation occurring on the same property during that calendar year may be abated without issuance of an additional five (5) day notice.

The filing of an appeal shall not prevent the City from proceeding with repeat abatement actions authorized under this Section after a final adverse decision by the Board of Zoning Appeals regarding the same property and substantially similar nuisance vegetation conditions during the same growing season.

(G) Abatement Charges.

(1) Properties less than one-half ($\frac{1}{2}$) acre: Mowing Charge: \$150.00

(2) Properties one-half ($\frac{1}{2}$) acre to one (1) acre: Mowing Charge: \$250.00

(3) Properties greater than one (1) acre: Mowing Charge: \$350.00 plus \$150.00 for each additional acre or portion thereof over one (1) acre.

(4) Administrative Fee: An administrative fee of One Hundred Fifty Dollars (\$150.00) shall be assessed for each abatement action.

(H) Acreage Determination.

The City Administrator, Finance Director, Zoning Manager, Property Maintenance Code Official, or their designee may determine acreage utilizing Warren County Auditor records, surveys, GIS mapping, legal descriptions, or other reliable documentation.

(I) Invoice.

Upon completion of the abatement, the Finance Director shall issue an invoice to the property owner of record.

(J) Payment.

Payment shall be due within thirty (30) days from the date of the invoice.

(K) Certification to County Auditor.

If unpaid after thirty (30) days, the Finance Director shall certify the unpaid amount to the Warren County Auditor as a special assessment and lien against the property pursuant to Ohio law.

(L) Additional Charge.

An additional administrative charge equal to ten percent (10%) of the unpaid amount may be added to any amount certified to the County Auditor.

(M) Additional Remedies.

The remedies provided herein are cumulative and shall not limit the City's authority to pursue any criminal, civil, equitable, or administrative remedies authorized by law.

(N) General Penalty.

Whoever violates this Section shall be guilty of a Minor Misdemeanor for a first offense. A second or subsequent violation occurring within two (2) years may be prosecuted as a Misdemeanor of the Fourth Degree as permitted by Ohio law.

(O) Continuing Violations.

Each day a violation continues after expiration of the compliance period shall constitute a separate offense.