

ORDINANCE NO. O2016-32

**AN EMERGENCY ORDINANCE ESTABLISHING SECTION 1353  
“FEE SCHEDULE FOR CERTAIN  
PROPERTY MAINTENANCE CODE VIOLATIONS”  
OF THE CODIFIED ORDINANCES OF THE CITY OF GALLIPOLIS, OHIO**

**WHEREAS**, the City of Gallipolis is desirous of promoting the health and welfare of the Citizenry by enforcement of the provisions adopted by these Codified Ordinances and the International Property Maintenance Code (as amended from time to time); and

**WHEREAS**, an integral part of the enforcement of said code provisions is the enforcement of penalties, fines, executions, and legal remedies for existing code violations; and

**WHEREAS**, it is the responsibility of the property owner (defined as person, agent, operator, firm or corporation having a legal or equitable interest in the property; or recorded in the official records of the state, county or municipality as holding title to the property; or otherwise having control of the property, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court) to provide the City of Gallipolis with restitution for the rehabilitation of code violations; and

**WHEREAS**, the City of Gallipolis is desirous of instituting additional incentives and safeguards for the enforcement of property code violations; and

**WHEREAS**, the City of Gallipolis is desirous of instituting a fee schedule for certain classes of code violations; and

**WHEREAS**, the City Manager has recommended in writing the passage of this ordinance as an emergency measure as it is necessary for the immediate preservation of the public peace, health, safety and property and in order to provide for the usual operations of the municipal departments.

**NOW, THEREFORE, BE IT ORDAINED** by the City Commission of the City of Gallipolis, Ohio:

**SECTION 1:** That Section 1353 is hereby established and shall read as follows:

**“1353. FEE SCHEDULE FOR CERTAIN PROPERTY MAINTENANCE CODE VIOLATIONS**

1353.01 In addition to all other penalties, fines, executions, and legal remedies described in these codified ordinances and in the International Property Maintenance Code (as amended from time to time and adopted by Section 1351), the owner of any real property upon which is found a violation of these codified ordinances and/or the International Property Maintenance Code shall be liable for a fee payable to the City of Gallipolis in the following amounts:

Violations of IPMC 302.4 (High Weeds at ¼ acre or less)	\$50
Violations of IPMC 302.4 (High Weeds at more than ¼ acre)	\$100
Violations of IPMC 302.1, 305.1 and 307.1 (Removal of Trash and Debris)	\$100
Violations of Signage Restrictions as found in These Codified Ordinances Sections 313, 715, and 1189, And the various sections of the IPMC	\$100

1353.02 The fees described in the section are continuing in nature for each violation and for each day the violation continues, whether or not the City rehabilitates or abates the code violation and whether the City employees rehabilitate or abate the code violation or the work is performed by contract with the a third party.

1353.03 The fees described in the schedule above may be used as a substitute for any other civil or criminal fee, fine, restitution, penalty or other legal remedy which may be collected pursuant to these Codified Ordinances or the International Property Maintenance Code. The Code Enforcement officer shall have complete discretion as to whether or not the fees described in this section shall be in addition to or as a substitute for other civil or criminal fees, fines, restitution or other penalty or remedies.”

**SECTION 2:** That this Ordinance shall take effect and be in full force upon passage as an emergency measure.

**PASSED:** July 19, 2016  
**ATTEST:**

Annette M. Landers  
**Clerk of the City Commission**  
**Annette M. Landers**

Tony Gallagher  
**President of the City Commission**  
**Tony Gallagher**

The foregoing Ordinance is hereby approved as to form.

Adam R. Salisbury  
**Gallipolis City Solicitor**  
**Adam R. Salisbury**