

ORDINANCE NO. 2-2021

AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO AMEND CODIFIED ORDINANCE 1157.08 WITH REGARDS TO VIOLATIONS AND ENFORCEMENT OF SIGNS, AND DECLARING AN EMERGENCY.

WHEREAS, the Council of the City of New Philadelphia has deemed it necessary to amend Codified Ordinance 1157.08 with regards to violation and enforcement.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO, THAT:

SECTION 1. Codified Ordinance 1157.08 is amended to read as follows:

1157.08 VIOLATION AND ENFORCEMENT

(a) If upon inspection the Chief Building Official finds that any sign is abandoned, unsafe, or in any way not in compliance with City ordinances, he or she shall issue a written order, to the sign owner and real estate owner upon which the sign is located, stating the nature of the violation and requiring repair, replacement, or removal of the sign within 30 days of the date of the order. Any business location closed for more than a period of thirty consecutive days and having signage shall have the signs removed upon order of the Chief Building Official or his designee.

(i) Notice shall be served by personal service, or by certified or first-class mail with receipt or certificate of mailing, to the owner of the sign and the owner of the property appearing on the current record of the county auditor and/or the last known address of the owner to be served. If the last known address of the owner cannot be ascertained, the notice shall be posted on the outside front entrance of the structure in alleged violation. If any mailed notice is returned showing that the letter was not delivered, a copy thereof shall be posted on the front entrance of the structure in alleged violation.

(b) If after thirty days of issuance, an order has not been complied with, the sign owner shall be in violation of this Zoning Code.

(c) Failure to comply with the order will allow the City to remove the signs at the expense of the property owner and/or agent/owner of the subject business.

(i) Recovery of Costs: When it is necessary for the City to remove or repair any sign, all costs incurred shall be promptly paid by the owner of the premises. If the owner, within thirty days after the work is performed, fails, neglects, or refuses to pay such cost, the cost will become a lien upon the property on which the work and cost were incurred. The same shall be certified to the Tuscarawas County Auditor who shall place the charge upon the tax duplicate of the City with interest and penalties allowed by law and collected as other normal taxes are collected.

SECTION 2. This Ordinance is hereby declared to be an emergency measure and its immediate passage is necessary in order to preserve, protect and maintain the health, safety and welfare of the citizens of the City of New Philadelphia, Ohio.

SECTION 3. This Ordinance shall take effect and be in force immediately upon its passage.

PASSED: March 8, 2021

Donald C Kemp
DONALD C. KEMP
PRESIDENT OF COUNCIL

ATTEST:

Julie Courtright
JULIE COURTRIGHT
CLERK OF COUNCIL

APPROVED:

Joel B. Day
JOEL B. DAY
MAYOR

SPONSORED BY: SAFETY, HEALTH, AND SERVICE COMMITTEE