

First Reading: April 8, 2008
Second Reading: dispensed
Third Reading: dispensed

ORDINANCE 6 -2008

**AN ORDINANCE SETTING A HEARING DATE AND TIME AND ORDERING
NOTICE, DISPENSING WITH THE SECOND AND THIRD READINGS AND
DECLARING AN EMERGENCY**

WHEREAS, the Council of the Village of Newtown has received written information that litter, as defined in O.R.C. Section 731.51, has been placed on land located within the Village of Newtown and located at 6834 East Plum Street, Newtown, Ohio 45244; and

WHEREAS, the Council of the Village of Newtown desires to provide notice that at the next Village Council meeting on April 22, the Council intends to consider the evidence of litter existing on the property located at 6834 East Plum Street, Newtown, Ohio 45244; and

WHEREAS, in order to provide due process to the owner of the property located at 6834 East Plum Street, Newtown, Ohio 45244, the Village Council desires to notify the owner of the property located at 6834 East Plum Street, Newtown, Ohio 45244 of the time and place of the Council meeting in order to give such owner the opportunity to be present any evidence on his or her behalf regarding Council's investigation;

NOW THEREFORE, BE IT ORDAINED by the Council of the Village of Newtown, State of Ohio:

SECTION 1. The Council hereby sets April 22, 2008 at 7:00 pm as the date and time of Council's meeting to consider the condition of the litter, as such term is defined in O.R.C. 731.51, located on the property at 6834 East Plum Street, Newtown, Ohio 45244. The meeting will be held in Village Council chambers, 3536 Church Street, Newtown, Ohio 45244.

SECTION 2. The Chief of Police of the Village, or a deputy police officer, or the Village Fiscal officer shall give notice to the owner of the property located at 6834 East Plum Street, Newtown, Ohio 45244 of the time and date of the Council meeting. The notice shall further state that such owner shall be given an opportunity to address Village Council on the issue and provide any evidence he or she desires on the issue. Such notice shall be made by personal delivery, or certified mail, or, if such owner cannot be found in the Village, by posting a copy of the notice conspicuously on the property. The person making the service shall make a return of service to this Council on or before April 22, 2008.

SECTION 4.

The Council of the Village of Newtown, by at least three-fourths vote of all of its members, dispenses with the requirement that this Ordinance be read on three separate days and authorizes its passage upon one reading.

SECTION 5.

This Ordinance is hereby declared to be an emergency measure, necessary for the preservation of the public peace, health, welfare, and safety of the Village of Newtown. The reason for the emergency is to provide for the abatement of noxious weeds and litter in the Village in a timely manner.

VOTE RECORD:

Mr. Burns YES

Mr. Evans YES

Ms. Hueber YES

Mr. Kobasuk YES

Mr. Pulskamp YES

Mr. Zornes YES

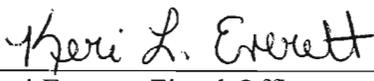
PASSED this 8th day of April, 2008.



Curt Cosby, Mayor
Village of Newtown, Ohio

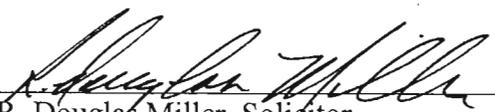
AUTHENTICATION

This is to certify that this ordinance was duly passed, and filed with the Village of Newtown Fiscal Officer, this 8th day of APRIL, 2008.



Keri Everett, Fiscal Officer
Village of Newtown, Ohio

APPROVED AS TO FORM



R. Douglas Miller, Solicitor
Village of Newtown, Ohio