

# JEFFERSON TOWNSHIP ORDINANCE CODE

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Board of Trustees – Jefferson Township, Montgomery County, Ohio

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# **TITLE I – GENERAL PROVISIONS**

## **Section 100. Legal Authority and Purpose**

This Ordinance Code is adopted under the statutory authority granted to Jefferson Township by the Ohio Revised Code, including but not limited to Sections 504.05, 505.17, 505.87, 505.871, 505.173, 511.32, 519.24, and 955.221. The purpose of this Code is to promote the health, safety, comfort, and welfare of the residents of Jefferson Township by establishing clear, enforceable regulations pertaining to property standards, public conduct, business operations, and land use.

This Code shall be construed to complement the Ohio Revised Code and shall not preclude enforcement of state laws where applicable.

## **Section 101. Enforcement Authority**

The provisions of this Code shall be enforced by:

- The Montgomery County Sheriff's Office acting under contract with Jefferson Township,
- The Jefferson Township Code Enforcement Officer and/or Zoning Inspector,
- The Township Administrator or designee, and
- Any other agent duly authorized by the Board of Trustees.

Enforcement personnel are empowered to issue citations, warnings, orders to abate, or initiate court actions where applicable.

## **Section 102. Definitions and Rule of Construction**

All terms used in this Code shall have the meanings ascribed in the Jefferson Township Zoning Code, Exterior Property Maintenance Code, or Ohio Revised Code, as applicable. In the event of a conflict, the interpretation most favorable to effective enforcement and public welfare shall prevail. Specific definitions may be added by resolution of the Board of Trustees.

## **Section 103. Township-Specific Citation Authority**

Jefferson Township formally establishes the use of **Township-specific citations** as a valid and preferred enforcement tool for any violation occurring within the unincorporated area of the Township. The following shall apply:

1. **Citation Identification:** All citations issued under this Code must clearly identify the applicable section of the Jefferson Township Ordinance Code being violated. If the violation also constitutes a breach of the Ohio Revised Code, the corresponding ORC section may be listed for reference; however, the Township Code shall govern enforcement, penalty, and fund allocation.
2. **Purpose:** This provision is designed to ensure that citations are processed as Township violations, thereby retaining fines and penalties for the benefit of Jefferson Township residents through the Township's General Fund or any other authorized fund.
3. **Court Processing:** Citations shall be directed to the Montgomery County Municipal Court, Western Division, and shall request classification as local violations. Officers and



prosecutors are encouraged to affirm the Township's enforcement right under ORC §504.05.

4. **Citation Format:** The Township shall maintain a standardized citation form listing:
  - The Jefferson Township Ordinance Code section violated,
  - The corresponding ORC section (if applicable),
  - The nature of the offense,
  - The civil penalty amount or misdemeanor classification,
  - Any corrective actions required.
5. **Revenue Allocation:** Unless otherwise directed by court order or statute, fines and penalties collected under this Code shall be returned to Jefferson Township to support continued enforcement, code administration, and community services.

### **Section 104. Relationship to State Law**

Nothing in this Code shall be interpreted to override, contradict, or supersede any valid provision of the Ohio Revised Code. Where state law grants concurrent authority or sets a higher minimum standard, such law shall apply in addition to this Code. The Township retains all home rule rights provided under ORC Chapter 504 and shall exercise such rights to enact more restrictive or responsive measures when local circumstances warrant.

# **TITLE II – PROPERTY MAINTENANCE AND NUISANCE ENFORCEMENT**

## **Section 200. Purpose and Scope**

The purpose of this Title is to preserve the safety, appearance, and integrity of properties within Jefferson Township and to prevent conditions that constitute a public nuisance, diminish property values, or threaten public health and welfare. This Title applies to all residential, commercial, and vacant properties located in the unincorporated areas of Jefferson Township.

This Title incorporates the standards set forth in the Jefferson Township Exterior Property Maintenance Code (2024 Edition) and supplements them with enforcement procedures authorized under ORC §§ 505.87, 505.871, 505.173, and 3767.13.

## **Section 201. Exterior Property Maintenance Code – Adoption and Authority**

Jefferson Township hereby adopts by reference the **Exterior Property Maintenance Code**, as approved by resolution and maintained by the Code Enforcement Department. This Code establishes minimum standards for:

- Structural integrity of buildings and outbuildings,
- Maintenance of yards and open spaces,
- Prohibited accumulations of garbage, debris, and junk,
- Conditions that promote rodent or insect infestation,
- Storage of inoperable or unlicensed vehicles,
- General upkeep of properties so as not to pose a nuisance or blight.

Violations may be enforced by notice, citation, or abatement under this Code.

## **Section 202. Nuisance Abatement Procedure (Res. 25-076)**

### **A. Complaint and Investigation**

Upon receipt of a complaint or observation of a potential nuisance condition, the Township shall initiate an investigation within five (5) to ten (10) business days.

### **B. Issuance of Notice**

If a violation is confirmed, the property owner or responsible party shall receive written notice within five (5) business days. The notice shall include:

- A description of the violation(s),
- Legal authority under which action is being taken (Jefferson Township Code and/or ORC),
- A deadline for voluntary correction (typically thirty [30] calendar days),
- Information regarding appeal and hearing options.

### **C. Failure to Comply**

If the owner fails to comply:

- The Township may enter the premises to abate the violation at the owner's expense;
- A lien may be placed against the property under ORC §505.87;
- Civil citations may be issued for each day the violation remains uncorrected;
- Unsafe or hazardous structures may be declared unfit and subject to emergency removal.

#### **D. Administrative Hearings**

The Township may offer an administrative hearing, either upon request of the owner or initiated by the Township, to determine appropriate enforcement action or confirm legal standing.

#### **E. Law Enforcement Involvement**

If the nuisance condition involves illegal activity, unauthorized occupants, or threats to public safety, the Montgomery County Sheriff's Office is authorized to take appropriate legal action. Citations may be issued under:

- ORC §2911.21 – Criminal Trespass,
- ORC §2921.31 – Obstruction of Official Business,
- ORC §3767.13 – Maintaining a Nuisance.

### **Section 203. Trash, Debris, and Hazardous Accumulations**

No owner, occupant, or responsible party shall allow the accumulation of refuse, garbage, scrap materials, or personal property in a manner that constitutes a nuisance.

If the property is not voluntarily cleared, Jefferson Township is authorized to remove such materials and charge the property owner a service rate of **\$200 per hour** (Res. 24-130), plus administrative and disposal costs. These costs may be certified to the Montgomery County Auditor as a tax lien under ORC §505.87(E).

### **Section 204. Inoperable, Junked, or Abandoned Vehicles**

#### **A. Definitions**

1. **Inoperable Vehicle:** A vehicle that cannot be legally operated due to mechanical failure or lack of registration.
2. **Junk Vehicle** (ORC §505.173): A vehicle that is three or more years old, extensively damaged, inoperable, and not legally plated.
3. **Abandoned Vehicle** (ORC §505.871): A vehicle left unattended for more than 48 hours on public property or 72 hours on private property without permission.

#### **B. Enforcement**

Vehicles meeting these definitions may be:

- Tagged with a 14-day removal notice,
- Towed at owner's expense,
- Subject to Township citation and lien for recovery.

### **C. Appeals**

Vehicle owners may appeal removal orders to the Township's Property Maintenance Appeals Board within ten (10) calendar days of notice. Pending appeal does not delay towing in emergency cases.

### **Section 205. Squatter Removal and Trespass Abatement**

When an unoccupied or abandoned structure is entered or inhabited without the property owner's legal consent:

- The Township may issue a **No Trespass Order** against all unknown occupants;
- The Sheriff may remove persons unlawfully occupying the premises;
- Criminal charges may be pursued in cooperation with the Prosecutor's Office;
- These actions are authorized under ORC §§ 2911.21 and 505.87.

### **Section 206. Lien Authority and Cost Recovery**

All costs incurred by the Township in the enforcement of this Title, including inspections, abatement, removal, disposal, and legal proceedings, may be certified to the County Auditor as a lien on the property, in accordance with ORC §§ 505.87 and 3767.13. Liens shall bear interest as permitted by law.

# **TITLE III – NOISE, BLOCK PARTIES, AND PUBLIC DISTURBANCE**

## **Section 300. Purpose and Policy Statement**

Jefferson Township is committed to preserving the peaceful enjoyment of residential and commercial areas. Excessive noise, unauthorized block parties, and unregulated public disturbances threaten quality of life, interfere with lawful activity, and may endanger public safety. The provisions of this Title are adopted to ensure predictable, fair, and enforceable standards for controlling sound levels and gathering permits, while retaining the Township's ability to impose penalties that return fines to the Township.

## **Section 301. Noise Control Regulations**

### **A. Prohibited Conduct**

No person or entity shall cause, permit, or allow amplified sound, music, or other disruptive noises that:

- Are plainly audible at a distance of fifty (50) feet or more from the property line between the hours of **11:00 PM and 7:00 AM**, or
- Unreasonably disturb or interfere with the peace, comfort, or repose of persons in the vicinity at any time.

### **B. Permit Authorization (Res. 23-024)**

The Township may issue a **Noise Permit** authorizing amplified sound during specified hours. A permit is valid for up to eight (8) consecutive hours and must be requested at least ten (10) business days in advance. The following conditions apply:

- A **\$50.00 application fee** and **\$150.00 permit fee** are required.
- Each residence or business may receive no more than four (4) permits per calendar year.
- Blanket permits may be authorized for commercial properties with valid D liquor permits (e.g., bars and venues), for May–October operations only.

### **C. Violations and Penalties**

1. First-time violations may result in a warning or civil citation with a fine of **up to \$250**.
2. Repeat violations within a twelve-month period may be subject to **a fine up to \$500**.
3. Permit holders found in violation may have their permit revoked immediately.

### **D. Emergency Authority**

The Township Administrator or Sheriff's Office may order the immediate cessation of any amplified sound if it:

- Threatens public health or safety,
- Incites violence or disorderly conduct,

- Violates any standing court orders or township conditions.

#### **E. Cross-Reference to State Law**

This section shall be interpreted in harmony with ORC §3704.03(K) regarding local regulation of noise pollution. However, violations cited under this Section shall be enforced as **Township offenses**, with fines retained by Jefferson Township.

### **Section 302. Block Party Permit Program (Res. 25-075)**

#### **A. Permit Required**

No person or group shall conduct a street closure or organized public event in a residential neighborhood without first obtaining a **Block Party Permit** from Jefferson Township. Applications must be submitted no fewer than **four (4) weeks in advance** and are subject to the following criteria:

- Applicant must be a resident of the street/block where the event is proposed;
- All events must occur between 8:00 AM and 10:00 PM;
- Permit is valid for a single day and non-transferable.

#### **B. Zone Eligibility**

Block party permits are only issued for properties zoned **R-1, R-2, R-3, R-4, RT, and PD**. Permits may not be granted in commercial, industrial, or institutional zones unless specifically authorized by the Board of Trustees.

#### **C. Permit Requirements**

The permit application must include:

- A completed traffic control and parking plan,
- A waste/trash removal plan,
- A list of responsible contacts for the event,
- Signed acknowledgment of compliance with the Township's noise regulations (Section 301),
- Evidence of notification to adjacent property owners.

#### **D. Prohibited Activities**

- The use of **fireworks or pyrotechnics** is prohibited without a separate permit compliant with ORC §3743.45;
- Events may not include amplified sound without a separate noise permit;
- Alcohol may not be sold unless the applicant possesses a valid liquor permit.

#### **E. Penalties for Unauthorized Events**

- **First offense:** \$250 fine issued to the event organizer or property owner;
- **Repeat offense** (within 24 months): \$500 fine and **one-year ineligibility** to apply for future permits;

- Violations may also result in immediate closure or dispersal of the event.

#### **F. Law Enforcement and Citation Authority**

The Montgomery County Sheriff's Office is authorized to enforce this section and may issue citations under both the Township Code and the following provisions of the Ohio Revised Code:

- ORC §4511.71 – Obstructing a public road without authorization;
- ORC §2917.14 – Misconduct at a gathering;
- ORC §505.17 – Local authority to regulate use of Township streets.

#### **G. Appeals**

Any applicant denied a permit or cited for violation may appeal in writing within ten (10) business days to the Township Administrator. If unresolved, a hearing may be requested before the Board of Trustees.

# **TITLE IV – VEHICLE STORAGE AND PARKING**

## **Section 400. Purpose and Policy Statement**

Unregulated vehicle storage and inappropriate parking contribute to neighborhood blight, obstruct emergency services, and interfere with the safe use of Township roadways. This Title is adopted under the authority of ORC §505.17 and related provisions to regulate the parking of vehicles, storage containers, trailers, and other equipment on public and private property within the Township.

These regulations are necessary for preserving the safety and appearance of Jefferson Township and are enforceable by citation, removal, and administrative penalty.

## **Section 401. General Parking Prohibitions (Res. 22-095)**

It is a violation of this Code for any person to cause or permit a vehicle, trailer, or other equipment to be parked or left standing in any of the following manners:

### **A. In Fire Lanes or Emergency Access Routes**

No person shall stop, stand, or park a vehicle in any designated fire lane or within fifteen (15) feet of a fire hydrant.

### **B. Obstructing Public Roads or Intersections**

Vehicles shall not block driveways, obstruct intersections, or impede the clear flow of traffic. No parking is allowed within thirty (30) feet of a stop sign or traffic signal.

### **C. Cul-de-sacs and Narrow Streets**

Parking is prohibited in designated cul-de-sacs, turnaround zones, or other areas where emergency vehicle access may be impaired.

### **D. Extended Parking on Public Right-of-Way**

No vehicle may remain parked in one location on a public street or public right-of-way for more than **seventy-two (72) consecutive hours**. After this period, a notice of violation may be issued and the vehicle may be towed.

### **E. Commercial Vehicles and Equipment**

Commercial trucks, trailers, or machinery may not be parked overnight (10 PM to 6 AM) in residential zones without a valid temporary parking permit issued by the Township.

## **Section 402. Storage Containers, PODS, Dumpsters, and Trailers**

### **A. Permit Requirement**

Temporary storage containers (e.g., PODS), dumpsters, and unhitched trailers may not be placed on any residential property, driveway, or public street for more than **fourteen (14) consecutive days** without a Township permit.



## **B. Application Process**

- Permits are valid for up to thirty (30) days.
- A fee may be charged based on location and impact on public right-of-way.
- Extensions may be granted for active construction or insurance-related recovery efforts.

## **C. Violation and Removal**

Unauthorized storage containers or equipment shall be subject to immediate removal. Property owners shall be responsible for all costs, including Township service rates and administrative penalties.

## **Section 403. Inoperable or Unlicensed Vehicles**

### **A. Prohibited Conditions**

Vehicles that are inoperable, unlicensed, or visibly damaged shall not be stored in public view for more than ten (10) consecutive days unless housed in a fully enclosed garage or screened enclosure.

### **B. Notice and Enforcement**

Such vehicles may be tagged and, if not remedied, removed under the process outlined in Title II, Section 204. This section shall be interpreted in conjunction with the Township's adopted Junk Vehicle Ordinance (Res. 22-122) and ORC §505.173.

## **Section 404. Enforcement and Penalties**

### **A. Township Citation Required**

All violations under this Title shall be cited under the **Jefferson Township Ordinance Code**, and may also include a corresponding Ohio Revised Code citation where necessary for legal reference. The primary enforcement shall remain local, and fines shall be directed to Jefferson Township.

### **B. Fine Schedule**

- First violation: Warning or civil fine up to **\$150.00**
- Second violation (within 12 months): **\$250.00**
- Third or repeat violations: Up to **\$500.00** and/or vehicle removal

### **C. Towing Authority**

The Township may authorize towing of any vehicle that:

- Obstructs emergency access,
- Poses a hazard to public safety,
- Remains in violation beyond posted warnings.

Towing costs shall be recoverable from the vehicle owner and/or certified to the County Auditor as a lien where applicable.

**D. Right to Appeal**

Persons receiving citations under this Title may file a written appeal within ten (10) business days to the Township Administrator. In contested cases, the matter shall be reviewed by the Board of Trustees or an appointed hearing officer.

# TITLE V – ZONING ENFORCEMENT

## Section 500. Purpose and Authority

The Jefferson Township Zoning Code governs land use, density, design standards, and property utilization within the unincorporated areas of the Township. This Title provides for the enforcement of zoning regulations pursuant to ORC §§ 519.23, 519.24, and 504.05, and ensures the Township retains local control over its development and neighborhood character.

The Township may use civil citations, administrative orders, and injunctive proceedings to enforce zoning violations. Where applicable, zoning enforcement shall also incorporate provisions of the Township's Property Maintenance and Business Licensing Codes.

## Section 501. Zoning Inspector Authority

The Jefferson Township Zoning Inspector, appointed by the Board of Trustees, shall be the primary enforcement authority for violations of the Zoning Code. The Zoning Inspector may:

- Enter and inspect premises upon reasonable notice,
- Issue notices of violation and orders to correct,
- Refer unresolved matters to the Township Administrator and/or legal counsel for further action,
- Recommend administrative hearings or appeals.

The Zoning Inspector may also work in coordination with the Township Code Enforcement Officer and the Montgomery County Sheriff's Office as needed.

## Section 502. Types of Zoning Violations

Violations subject to enforcement under this Title include, but are not limited to:

1. **Unpermitted Use:** Any land or structure used in a manner not permitted by the applicable zoning district.
2. **Over-occupancy:** Exceeding density limitations, including operating multiple dwelling units where only one is permitted.
3. **Illegal Signage:** Installation or display of signs not permitted by the zoning resolution, including flashing signs, oversized signs, or signage in restricted districts.
4. **Setback and Lot Coverage Violations:** Construction that fails to meet required front, side, or rear yard setbacks, or exceeds lot coverage limits.
5. **Failure to Comply with Conditional Use Approvals:** Deviating from site plans, conditions, or representations made during the conditional use approval process.
6. **Unauthorized Group Homes or Congregate Living Facilities:** Establishing a group home or similar operation without proper spacing or approval in accordance with ORC §5123.19 and local density limits adopted in the Zoning Resolution.

## **Section 503. Enforcement Process**

### **A. Notice of Violation**

The Zoning Inspector shall issue a written Notice of Violation, delivered by mail and/or posting on the property. The notice shall include:

- The specific zoning provision violated,
- Required corrective action,
- A reasonable timeline for compliance (not to exceed 30 days unless extended in writing),
- Information about the right to appeal.

### **B. Citation Authority**

If the violation is not resolved within the stated time, the Township may issue a **Zoning Citation** under this Code. The citation shall include:

- A reference to the violated section of the Zoning Resolution and this Code,
- A fine amount as provided in Section 504 below,
- Notice of hearing rights and lien authority.

### **C. Civil Action and Injunctive Relief**

In addition to citation, the Township may initiate legal action in Montgomery County Common Pleas Court to compel compliance and/or recover fines, costs, and attorney fees under ORC §519.24.

## **Section 504. Fines and Penalties**

### **A. Fine Schedule**

- First Offense: Up to \$150 per violation
- Second Offense (same property): Up to \$250
- Ongoing Violations: \$150 per day until abated

### **B. Lien Authority**

Unpaid fines may be certified to the Montgomery County Auditor as a lien upon the property in accordance with ORC §505.87 and applicable Township procedures.

### **C. Township Retention of Fines**

All fines collected pursuant to zoning citations shall be payable to Jefferson Township. Citations must reference the Township Code section being enforced. Where an ORC section is listed, it is for legal reference only.

## **Section 505. Appeals**

### **A. Zoning Appeals Board**

Persons cited for zoning violations may file a written appeal within ten (10) business days of the citation. Appeals shall be heard by the **Jefferson Township Board of Zoning Appeals (BZA)** in accordance with procedures outlined in the Zoning Resolution.

**B. Appeal Outcomes**

The BZA may affirm, reverse, or modify the enforcement action. If affirmed, the Township may continue with enforcement and lien recovery.

**C. Further Appeals**

Decisions of the BZA may be appealed to the Montgomery County Court of Common Pleas under ORC Chapter 2506.

# **TITLE VI – BUSINESS REGULATION**

## **Section 600. Purpose and Policy Statement**

Jefferson Township adopts this Title to ensure that all business activity within the Township's unincorporated areas operates in a manner consistent with local ordinances, land use regulations, and public expectations of safety and accountability. Business regulation supports:

- Equitable economic development,
- Transparent zoning and licensing enforcement,
- Public health and safety,
- Township revenue retention through local citations.

This Title is enacted pursuant to ORC §504.04 and the Township's home rule powers.

## **Section 601. Business License Required**

### **A. Applicability**

All businesses operating within Jefferson Township must obtain an annual **Township Business License**. This includes:

- Commercial, home-based, and mobile businesses,
- Rental property owners and managers,
- Service providers and contractors,
- Nonprofit entities with compensated staff or recurring operations.

### **B. License Display**

The current business license must be posted in a conspicuous location at each licensed site and made available upon request to Township staff or law enforcement.

### **C. Separate Licenses**

Each business location, unit, or division operating in separate facilities or under separate names must be licensed individually.

## **Section 602. Application and Licensing Procedures**

### **A. Submission Requirements**

Applicants must submit a complete application with:

- Contact information,
- Zoning compliance documentation,
- Fire inspection and health clearance (if applicable),
- Business type classification,
- Applicable fees.

## **B. Review Process**

The Township Administrator or designee shall review and approve licenses based on:

- Zoning compatibility,
- Fire and safety conditions,
- No outstanding violations,
- Good standing with any past Township enforcement action.

## **C. Conditional Licensing**

Conditional licenses may be granted with specific compliance deadlines. Failure to meet those conditions may result in immediate revocation.

# **Section 603. Enforcement and Penalty Authority**

## **A. Violations**

It is a violation of this Code to:

- Operate without a license,
- Fail to comply with zoning or property maintenance rules,
- Provide false information on the application,
- Violate a condition of a license approval.

## **B. Available Remedies**

- Civil citations and monetary penalties,
- Suspension or revocation of the license,
- Referral to law enforcement for nuisance or obstruction,
- Lien certification for unpaid fines (ORC §505.87).

## **C. Fine Schedule**

- Operating without license: \$250/day
- Violation of license terms: \$150/day
- Obstruction or interference: \$500/incident

# **Section 604. Appeals – Business Compliance & Appeals Board (BCAB)**

## **A. Establishment of BCAB**

Pursuant to **Resolution 25-047**, the Jefferson Township **Business Compliance & Appeals Board (BCAB)** is established to review appeals, resolve enforcement disputes, and hear concerns related to business regulation.

## **B. Board Composition**

The BCAB shall consist of **five (5) members** appointed by the Board of Trustees. The **Economic Development Coordinator** shall serve as a non-voting staff advisor.

### **C. Jurisdiction**

The BCAB shall have authority to:

- Hear appeals of license denial, suspension, or revocation,
- Review disputes involving fines or enforcement,
- Recommend waiver or reduction of penalties,
- Adopt rules of procedure under the Ohio Open Meetings Act.

### **D. Filing an Appeal**

A written appeal must be submitted within **ten (10) business days** of the enforcement action or decision. The BCAB shall hold a hearing within **thirty (30) days**, providing reasonable notice to the business.

### **E. Decisions and Finality**

The BCAB may uphold, modify, or reverse the Township's enforcement action. Its decision shall be final unless appealed to the Board of Trustees or a court of competent jurisdiction.



# **TITLE VII – ANIMAL CONTROL**

## **Section 700. Purpose and Scope**

This Title is enacted to promote the humane treatment of animals, protect the public from dangerous or uncontrolled animals, and ensure compliance with applicable state and local regulations. It focuses on responsible ownership, proper restraint, and neighborhood safety. Jefferson Township reserves the right to establish and enforce animal regulations more restrictive than those provided by the Ohio Revised Code.

This Title shall apply to all domestic animals located within the unincorporated areas of Jefferson Township.

## **Section 701. Definitions**

For the purpose of this Title:

- **Tethering:** The act of fastening an animal to a stationary object or stake, usually by a chain, rope, or cord.
- **Adequate Shelter:** A structure that provides protection from the elements, is sanitary, and allows the animal to stand, sit, and lie down comfortably.
- **Extreme Weather Conditions:** Includes heat advisories, wind chill warnings, thunderstorms, snow emergencies, and temperatures below 32°F or above 90°F.
- **Animal Control Officer:** Any law enforcement officer, Township official, or authorized agent designated to enforce this Code.

## **Section 702. Prohibited Conduct (Res. 22-081)**

### **A. Excessive Tethering Prohibited**

No person shall tether a dog or other domestic animal for more than **six (6) consecutive hours in a 24-hour period**.

### **B. Weather Restrictions**

No person shall tether any animal outdoors during:

- Any weather advisory, watch, or warning issued by the National Weather Service,
- Temperatures below 32°F or above 90°F,
- Periods of extended rain, sleet, hail, or snow.

### **C. Unsanitary or Unsafe Tethering**

Tethering is prohibited if:

- The tether is too short to allow reasonable movement (less than 15 feet),
- The animal lacks access to clean water, food, or shade,
- The tether is attached using choke or prong collars,
- The tether allows the animal to cross onto adjacent properties or public rights-of-way.

#### **D. Neglect or Cruelty**

No owner shall withhold food, water, shelter, or necessary veterinary care from a domestic animal under their care. Any act constituting neglect, cruelty, or abandonment shall be reported to the Montgomery County Animal Resource Center and may be prosecuted under state law.

### **Section 703. Dangerous or Aggressive Animals**

#### **A. Notification and Containment**

Owners of animals declared dangerous or aggressive must:

- Post signage on the premises notifying of a dangerous dog,
- Maintain the animal in a secure enclosure or under leash control at all times,
- Comply with all additional restrictions under ORC §955.22.

#### **B. Incident Reporting**

Bites or attacks shall be reported immediately to both the Montgomery County Animal Resource Center and Jefferson Township. Investigations shall be conducted jointly, with Jefferson Township retaining the right to impose Township-level penalties.

### **Section 704. Licensing and Registration**

All dogs three (3) months of age or older must be licensed annually with Montgomery County. Proof of valid registration may be requested by Township personnel during any investigation or enforcement action.

Failure to register an animal or present evidence of vaccination may result in citation under Township Code and/or ORC §955.01.

### **Section 705. Enforcement and Penalties**

#### **A. Citation Authority**

The Montgomery County Sheriff's Office, Township Administrator, and other authorized enforcement agents are empowered to:

- Issue civil citations for violations of this Title,
- Investigate reports of animal cruelty or neglect,
- Remove animals in immediate danger with proper legal process.

#### **B. Fines**

- First offense: Warning or civil fine up to **\$100**
- Second offense: Fine up to **\$250**
- Third or repeated offense: Fine up to **\$500**, possible referral to County Prosecutor

#### **C. Criminal Prosecution**

In severe cases, criminal charges may be pursued under:

- ORC §959.13 – Cruelty to Animals,
- ORC §955.22 – Dangerous Dog Restrictions,

- ORC §955.221 – Local animal control ordinances.

#### **D. Lien Authority and Cost Recovery**

All fines and associated costs, including the cost of rescue, boarding, or veterinary care incurred by the Township, may be recovered through billing or certified as a lien against the property.

#### **Section 706. Appeals**

Any individual cited under this Title may appeal the citation within **ten (10) business days** by filing a written request for administrative review with the Township Administrator. If unresolved, a hearing may be scheduled before the Board of Trustees.

# **TITLE VIII – PARKS AND PUBLIC SPACES**

## **Section 800. Purpose and Authority**

This Title establishes rules for the use, enjoyment, and protection of public parks and open spaces owned or maintained by Jefferson Township. The purpose of these regulations is to:

- Ensure public safety and sanitation,
- Protect Township property and recreational assets,
- Promote equitable access to shared spaces,
- Prevent disorderly conduct and vandalism,
- Establish a Township-specific enforcement structure.

This Title is adopted under ORC §§ 511.32, 504.04, and 505.17, and may be enforced independently of or in addition to state criminal statutes.

## **Section 801. Applicability**

This Title applies to all parks, green spaces, trails, and recreational facilities under the jurisdiction or control of Jefferson Township, including but not limited to:

- Blairwood Park,
- Richardson Parn,
- Township-operated fields and courts,
- Public pavilions, shelters, and walking paths,
- Park-adjacent parking areas.

## **Section 802. Prohibited Conduct in Township Parks**

Unless expressly authorized in writing by the Township Administrator or Board of Trustees, the following acts are prohibited in any Jefferson Township park or open space:

### **A. After-Hours Presence**

Entering or remaining in a park after posted hours or when the park is closed to the public.

### **B. Alcohol, Drugs, and Smoking**

Possession or consumption of alcohol or controlled substances is prohibited. Smoking, vaping, or use of tobacco products is prohibited within 50 feet of any playground, field, or youth gathering area.

### **C. Vandalism and Littering**

Damaging, defacing, or removing Township property, including benches, signs, landscaping, or recreational equipment. Littering or failure to dispose of trash properly is also prohibited.

#### **D. Unauthorized Vehicles**

Motorized vehicles are prohibited beyond designated parking areas unless used for official Township business or emergency services.

#### **E. Unpermitted Events**

Organizing an event with more than 25 attendees without prior written approval. Events involving amplified sound, commercial activity, or exclusive use of Township space must obtain a facility reservation or special event permit.

#### **F. Disorderly Conduct or Fighting**

Engaging in behavior that causes alarm, nuisance, or danger to other park patrons. This includes fighting, verbal threats, harassment, or public indecency.

#### **G. Firearms and Fireworks**

Unless expressly permitted by law, the possession or use of fireworks, firearms, or weapons in any Township park is prohibited.

#### **H. Animals**

Pets must be on leash at all times. Owners must clean up waste immediately. Animals showing aggressive behavior or uncontrolled barking shall be removed from the park immediately.

### **Section 803. Park Closure Authority**

The Township Administrator, Sheriff's Office, or authorized agent may order the temporary closure of any park or section of a park when conditions present a hazard to public safety, during emergency repairs, or during special events. Temporary closures shall be posted at park entrances and announced publicly where feasible.

### **Section 804. Enforcement and Penalties**

#### **A. Township Citation Authority**

Violations of this Title may be cited using the Jefferson Township Code citation form. Citations may also reference applicable ORC sections for clarity, but enforcement and fines shall proceed under Township authority.

#### **B. Fines**

- First violation: Warning or civil fine up to **\$100**
- Second violation: Fine up to **\$250**
- Repeat or egregious violations: Fine up to **\$500** and park access suspension

#### **C. Immediate Removal**

Any person engaging in prohibited conduct may be ordered to leave the park immediately. Refusal to comply may result in arrest for criminal trespass under ORC §2911.21 or obstruction under ORC §2921.31.

#### **D. Restitution**

Any individual responsible for vandalism, damage, or unauthorized use of park facilities may be ordered to pay restitution to cover repair or replacement costs. These may be billed directly or certified as a lien.

#### **E. Trespass Orders**

The Township Administrator or Sheriff may issue written **No Trespass Orders** barring specific individuals from returning to the park for up to one year, subject to appeal.

### **Section 805. Appeals**

Individuals cited or removed from a Township park may file a written appeal within **ten (10) business days** of the incident. Appeals shall be reviewed by the Township Administrator or designee. In cases of trespass orders or suspensions longer than thirty (30) days, the individual may request a hearing before the Board of Trustees.

# **TITLE IX – GENERAL ENFORCEMENT, PENALTIES, AND APPEALS**

## **Section 901. Purpose and Legal Authority**

This Title establishes the Township’s authority and processes for enforcing the provisions of the Jefferson Township Ordinance Code. It ensures the Township can take consistent, fair, and legally defensible action against violations while retaining revenue and maintaining public trust.

Authority is derived from:

- **ORC §504.04** – Home rule powers,
- **ORC §505.87** – Abatement and lien procedures,
- **ORC §519.24** – Zoning enforcement,
- **ORC §§2929.28 and 2901.02** – Misdemeanor and fine classification,
- **ORC §3707.48** – Public health and nuisance remedies.

## **Section 902. Enforcement Authority**

The following individuals are authorized to issue citations, orders, or enforcement actions under this Code:

- Township Administrator or designee,
- Code Enforcement Officer,
- Zoning Inspector,
- Fire Chief or public safety designee,
- Deputies of the Montgomery County Sheriff’s Office (by agreement).

## **Section 903. Enforcement Tools**

The Township may use any of the following tools:

- A. **Notice of Violation (NOV)** – A written warning with a correction deadline.
- B. **Civil Citation** – A formal enforcement tool triggering immediate fines.
- C. **Administrative Order** – A directive to take corrective action or cease illegal activity.
- D. **Stop Work Order** – Posted on sites where work is being performed illegally or unsafely.
- E. **Emergency Abatement** – Immediate corrective action by the Township for dangerous conditions (e.g., open sewers, fire hazards, blocked ROWs).

## **Section 904. Penalties for Violations**

## A. Civil Fines

Unless otherwise specified in another Title:

Offense Type	Penalty
First Violation	Up to \$150
Second Violation (same issue/property)	Up to \$250
Repeat/Willful Violation	Up to \$500
Per-Day Fines (for unresolved violations)	\$50–\$150 per day

Each day a violation continues may constitute a separate offense.

## B. Criminal Penalties – Minor Misdemeanors

The Township may classify a violation as a **minor misdemeanor** under ORC §2901.02 and §2929.28 when:

- It endangers public safety,
- Is willful or obstructive,
- Repeats after prior enforcement.

**Penalty:** Up to **\$150 fine**, plus court costs. No jail time.

Violations may be referred to the Montgomery County Prosecutor or prosecuted in Municipal Court.

## Section 905. Cost Recovery and Liens

Any fines, abatement costs, contractor services, or administrative fees unpaid after 30 days shall be:

- **Certified to the Montgomery County Auditor** as a tax lien against the property (ORC §505.87), or
- Collected through civil litigation in Small Claims or Common Pleas Court.

Lienable costs include:

- Grass cutting, nuisance cleanup, debris removal, signage repair, and infrastructure restoration.

## Section 906. Appeals Process

Any person or entity receiving a citation, order, or denial under this Code may appeal:



- **Step 1:** Submit a written appeal within **10 business days** to the Township Administrator.
- **Step 2:** The Administrator will review and issue a decision within **10 business days**.
- **Step 3:** If unresolved, the individual may request a hearing before the **Board of Trustees**, which must occur within **30 days** of request.
- **Step 4:** Final Township decisions may be appealed to the Montgomery County Court of Common Pleas under ORC Chapter 2506.

## **Section 907. Enforcement Consistency**

Each Title of the Jefferson Township Ordinance Code may contain specific enforcement provisions or fines. Where none are listed, the standards in this Title shall apply. Enforcement personnel are directed to use the **least severe penalty necessary to achieve compliance**, escalating only when voluntary correction fails or public safety is compromised.

# **TITLE X – STORMWATER AND DRAINAGE REGULATION**

## **Section 1000. Purpose and Authority**

The purpose of this Title is to protect public and private property, roadways, and waterways from damage caused by improper stormwater discharge, drainage obstruction, or erosion. This Title is enacted under the Township's home rule authority and in accordance with ORC §§ 504.04, 505.07, 505.17, and 6111.01–6111.05, which authorize local regulation of stormwater activity and environmental maintenance.

This Title shall apply to all properties, drainage systems, and stormwater infrastructure located within the unincorporated areas of Jefferson Township.

## **Section 1001. Prohibited Acts**

No property owner, occupant, contractor, or other responsible party shall:

### **A. Obstruct Natural or Designed Drainage**

Block, reroute, or significantly alter a drainage ditch, swale, culvert, or stormwater conveyance system in a way that increases flooding risk or alters the flow of water onto adjacent properties or public roads.

### **B. Dump Into Stormwater Infrastructure**

Deposit any materials—including yard waste, trash, oils, chemicals, concrete, paint, or construction debris—into any ditch, storm drain, culvert, creek, or basin maintained or recognized by the Township or County.

### **C. Illegally Connect or Discharge to Storm System**

Connect sump pumps, roof drains, or wastewater lines into the stormwater system without Township or County approval, or discharge water in a manner that causes erosion, undermines infrastructure, or constitutes a public nuisance.

### **D. Neglect Maintenance of On-Site Drainage**

Fail to maintain detention basins, ditches, retention systems, or stormwater features required under zoning or construction approvals.

## **Section 1002. Enforcement and Remediation**

### **A. Notice of Violation**

If a violation is suspected or observed, the Township shall issue a written notice with:

- Description of the condition,
- Applicable Township Code section,
- Corrective actions required,

- Timeline for compliance (typically 10–30 days depending on severity).

### **B. Abatement by Township**

If the responsible party fails to act, the Township may:

- Enter the property,
- Remove the obstruction or illegal material,
- Repair drainage infrastructure,
- Recover all costs from the responsible party.

### **C. Emergency Action**

In cases of immediate threat to public health, safety, or infrastructure, the Township may abate without notice and bill the responsible party afterward.

## **Section 1003. Penalties and Cost Recovery**

### **A. Civil Fines**

- First offense: Up to **\$250**
- Second offense: Up to **\$500**
- Repeat or intentional dumping: Up to **\$1,000**

### **B. Lien and Billing Authority**

All costs incurred by the Township (labor, equipment, contractor services, disposal fees) may be invoiced to the property owner or certified to the Montgomery County Auditor as a lien in accordance with ORC §505.87.

### **C. Referral to EPA or County**

In serious or repeated cases, the Township may refer the matter to the Ohio EPA, Montgomery County Environmental Services, or the Montgomery Soil and Water Conservation District for further investigation or enforcement under state and federal regulations.

## **Section 1004. Appeals**

Any property owner cited or billed under this Title may file a written appeal within **ten (10) business days** of notice. The appeal will be reviewed by the Township Administrator. If unresolved, a hearing may be scheduled before the Board of Trustees or its designee.

# **TITLE XI – PUBLIC HEALTH AND SANITATION**

## **Section 1100. Purpose and Authority**

This Title is adopted to address threats to public health, safety, and general welfare arising from unsanitary, uninhabitable, or hazardous conditions on private or public property. It provides Jefferson Township with enforcement authority in alignment with ORC §§ 505.73, 3707.01–

3707.99, and 504.04, and allows collaboration with Public Health – Dayton & Montgomery County when conditions warrant joint intervention.

The Township shall have authority to issue local citations, abate public health nuisances, and recover costs where conditions fall outside the direct scope of zoning or criminal enforcement, but still create significant public concern.

## **Section 1101. Prohibited Conditions**

The following shall be considered violations of this Title if observed on residential, commercial, or vacant land in Jefferson Township:

### **A. Infestation**

The presence of rats, mice, cockroaches, fleas, bedbugs, or other vermin in sufficient number to indicate uncontrolled reproduction or spread, whether indoors or outdoors.

### **B. Human Waste or Biohazards**

The storage, disposal, or presence of human waste, used diapers, bodily fluids, or biomedical waste outside of approved containment systems.

### **C. Standing Water or Mosquito Breeding Conditions**

The accumulation of standing water in pools, containers, tires, or other surfaces likely to breed mosquitoes, especially during high-risk months (April–October).

### **D. Food or Organic Waste Accumulation**

Spoiled food, animal carcasses, or organic material left in open containers or on the ground in a manner that attracts scavengers or creates odor.

### **E. Indoor Hoarding Conditions**

Where a residence or structure accumulates material in such excess that it:

- Blocks exits or creates fire hazards,
- Renders plumbing or kitchen systems unusable,
- Creates conditions injurious to the resident or others.

### **F. Neglected Septic or Water Systems**

Broken or unmaintained septic tanks, collapsed wells, or visibly leaking wastewater systems not corrected within thirty (30) days of notice.

## **Section 1102. Complaint and Investigation Procedure**

### **A. Authority to Inspect**

Township officials may initiate investigations based on:

- Citizen complaints,
- Law enforcement referrals,

- Observation during code or zoning inspections,
- Reports from Public Health – Dayton & Montgomery County.

#### **B. Notice to Correct**

If a violation is confirmed, the Township shall issue written notice to the responsible party identifying:

- Nature of the public health risk,
- Required corrective actions,
- Deadline for compliance (typically 7 to 14 days unless emergency exists).

#### **C. Joint Health Authority Referral**

In cases where violations may fall under County Health District jurisdiction, the Township may:

- Coordinate a joint site visit,
- Issue separate notices for zoning, property maintenance, or public health issues,
- Request inspection reports or orders from the County Health Commissioner.

### **Section 1103. Enforcement, Abatement, and Penalties**

#### **A. Township Action**

If the responsible party fails to comply with notice, Jefferson Township may:

- Contract for cleanup or remediation,
- Remove materials or infested items,
- Seal or condemn structures in coordination with building and health officials.

#### **B. Civil Penalties**

- Minor violation: Fine up to **\$150**
- Moderate or repeat violation: Fine up to **\$500**
- Willful or severe violation creating a community hazard: Fine up to **\$1,000**

#### **C. Criminal Referral**

In extreme cases, criminal charges may be pursued under ORC §3707.48 (refusal to obey health orders), §2927.24 (contamination of public water), or §2927.11 (desecration or abuse of a corpse), as applicable.

#### **D. Lien and Cost Recovery**

All Township remediation costs may be invoiced to the responsible party or certified to the Montgomery County Auditor as a lien against the property.

### **Section 1104. Appeals**

Any property owner receiving a citation or abatement order under this Title may file a written appeal within **ten (10) business days**. Emergency actions are not delayed by appeal. If

unresolved by the Township Administrator, the appeal may be reviewed by the Board of Trustees or a designated hearing officer.

## **TITLE XII – GRAFFITI ABATEMENT AND PUBLIC ART POLICY**

### **Section 1200. Purpose and Intent**

Jefferson Township adopts this Title to deter the unauthorized defacing of property through graffiti, tagging, and other forms of vandalism, while also encouraging community-oriented public art. This dual approach promotes neighborhood beautification, civic pride, and property value protection. The Township seeks to balance enforcement with opportunities for artistic expression in designated areas.

This Title is authorized under ORC §§ 504.04, 505.17, and 2909.07 and shall apply to all public and private property within the unincorporated Township boundaries.

### **Section 1201. Definitions**

- **Graffiti:** Any unauthorized marking, etching, painting, drawing, tag, or inscription on public or private surfaces, whether made with spray paint, permanent marker, adhesive, or other material.
- **Public Art:** Murals, installations, or sculptures installed with permission of the property owner and formal recognition from Jefferson Township.
- **Tagging:** The act of applying graffiti, typically as a form of vandalism or unauthorized marking.

### **Section 1202. Prohibited Acts**

#### **A. Graffiti Application**

It shall be unlawful for any person to apply graffiti to any building, wall, sign, sidewalk, fence, bench, vehicle, or other surface visible to the public without the express written consent of the property owner and Township authorization where required.

#### **B. Graffiti Materials Possession**

No minor (under age 18) shall possess spray paint, permanent markers, or graffiti paraphernalia in public areas unless accompanied by a parent, legal guardian, or employer.

#### **C. Failure to Remove Graffiti**

Property owners who fail to remove graffiti within **ten (10) calendar days** of written notice may be subject to Township abatement and lien for costs incurred.

### **Section 1203. Enforcement and Penalties**

#### **A. Civil Penalties**

- First offense (tagger or vandal): Civil citation up to **\$250**
- Second offense: Up to **\$500**
- Property owner failing to remove graffiti: Cost of removal plus **\$150** civil fine

#### **B. Criminal Referral**

Intentional defacement may also be referred to law enforcement for prosecution under ORC §2909.07 (criminal mischief), particularly where damage exceeds \$500.

#### **C. Restitution and Community Service**

As a condition of settlement or in lieu of prosecution, individuals responsible for graffiti may be ordered to:

- Pay for cleanup and repair,
- Participate in approved community service, including graffiti abatement or park maintenance.

#### **D. Township Abatement**

If graffiti is not removed after proper notice, the Township may enter the property and remove it at the owner's expense, in accordance with nuisance abatement procedures under Title II.

### **Section 1204. Public Art Projects**

#### **A. Application Process**

Property owners, artists, or organizations seeking to install public-facing artwork must submit a written proposal to the Township Administrator, including:

- Artwork description and dimensions,
- Materials to be used,
- Installation method and location,
- Artist or group credentials.

#### **B. Approval Criteria**

The Township Administrator may approve projects that:

- Do not depict obscenity, violence, or political propaganda,
- Are compatible with neighborhood character,
- Promote community engagement or beautification.

#### **C. Maintenance Agreement**

Approved public art installations must be accompanied by a maintenance and graffiti prevention plan. Failure to maintain the artwork may result in removal or revocation of permission.

### **Section 1205. Appeals**

Any person cited for a violation under this Title or denied a public art application may appeal in writing within **ten (10) business days**. The Township Administrator or Board of Trustees may uphold, modify, or reverse the decision after a hearing.

## **TITLE XIII – CONSTRUCTION AND CONTRACTOR STANDARDS**

### **Section 1300. Purpose and Authority**

This Title establishes minimum conduct and compliance standards for contractors and construction activity within Jefferson Township. Its purpose is to:

- Prevent negligent or damaging construction practices,
- Ensure proper cleanup and public safety during building activity,
- Protect Township rights-of-way and property,
- Strengthen zoning and permit compliance.

This Title is adopted under ORC §§ 504.04, 505.17, and 5571.16, and supplements zoning, property maintenance, stormwater, and business registration requirements.

### **Section 1301. Applicability**

This Title applies to:

- General contractors, subcontractors, builders, developers, and tradespersons,
- Residential and commercial construction, renovations, or demolitions,
- Work on Township infrastructure, easements, or rights-of-way,
- Any unpermitted or unlicensed activity connected to construction, grading, site clearing, or utility excavation.

### **Section 1302. Required Conduct and Site Standards**

#### **A. Business License Required**

All contractors performing work in Jefferson Township must hold a valid Township Business License under Title VI. No subcontractor may operate independently of a licensed prime contractor.

#### **B. Zoning and Permitting Compliance**

Work must comply with:

- Approved zoning permits,
- Required building permits from Montgomery County or other state agencies,
- Conditions of prior Board or Planning Commission approvals.



### **C. Job Site Standards**

Contractors must:

- Maintain a clean, debris-free site,
- Prevent mud and materials from spilling onto public roads,
- Provide temporary fencing or safety barriers if excavation, trenching, or demolition is involved,
- Prevent blockage of stormwater flow and maintain ditch or culvert integrity.

### **D. Hours of Operation**

Construction is permitted between:

- **7:00 AM to 8:00 PM Monday through Saturday**
- **10:00 AM to 6:00 PM on Sundays**

Work outside these hours requires special permission from the Township Administrator.

## **Section 1303. Prohibited Conduct**

It shall be a violation of this Code to:

- Begin work without proper licenses or permits,
- Cause repeated nuisance complaints from dust, noise, or traffic disruption,
- Damage or block ditches, drains, sidewalks, or roadways without proper repair,
- Leave structures partially demolished or exposed without site stabilization,
- Fail to remove dumpsters, debris, or construction materials within **five (5) business days** after project completion.

## **Section 1304. Enforcement and Penalties**

### **A. Civil Citations and Fines**

- First offense: Fine up to **\$250**
- Second offense or failure to correct within timeline: Up to **\$500**
- Unlicensed work or deliberate damage: Up to **\$1,000 per occurrence**

### **B. Stop Work Orders**

The Township may issue a Stop Work Order for any active site where:

- Contractors operate without a license or permit,
- Safety conditions exist,
- Repeated violations occur without correction.

### **C. Lien and Cost Recovery**

Where Township crews or contractors are used to repair damage caused by construction activity (e.g., ditch repair, debris cleanup), costs shall be billed to the responsible party or certified as a lien under ORC §505.87.

#### **D. Contractor Disqualification**

Contractors with two or more unresolved violations in a 12-month period may be barred from performing work in Jefferson Township for up to one year.

### **Section 1305. Appeals**

Citations, stop work orders, or disqualification decisions may be appealed in writing within **ten (10) business days** to the Township Administrator. If unresolved, a hearing before the Board of Trustees may be requested.

## **TITLE XIV – SPECIAL USE PERMITS**

### **Section 1400. Purpose and Authority**

This Title is adopted to manage and regulate temporary uses of property or public space that fall outside of standard zoning, business licensing, or event permits. These include mobile commerce, public solicitations, short-term outdoor sales, and public demonstrations.

The purpose is to:

- Protect neighborhood integrity and public safety,
- Avoid traffic obstruction or crowding,
- Ensure lawful and respectful public expression,
- Establish enforcement and cost recovery mechanisms for unauthorized activity.

This Title is enacted under ORC §§ 504.04, 505.17, and 4511.711 and may be enforced independently or in conjunction with the Sheriff's Office and Montgomery County agencies.

### **Section 1401. Activities Requiring a Special Use Permit**

No person shall engage in the following activities within Jefferson Township without first securing a **Special Use Permit** from the Township Administrator:

#### **A. Food Trucks and Mobile Vendors**

Operation of food trucks, carts, or trailers in commercial or residential areas for any time period longer than one (1) hour, or in a location not pre-approved for regular operations.

#### **B. Door-to-Door Sales and Peddling**

Any door-to-door solicitation, canvassing, or sales effort that involves monetary exchange, advertising distribution, or collecting donations. Political canvassing is protected speech and does not require a permit.

#### **C. Outdoor Merchandise Sales**

Seasonal tents, pop-up shops, or yard sales exceeding three (3) consecutive days or more than three (3) times per year at a single address.

#### **D. Demonstrations or Rallies**

Organized gatherings of more than ten (10) people on public sidewalks, open space, or Township-owned property for purposes of protest, religious observance, or political activity require notice and, if involving amplified sound or public access obstruction, a permit.

#### **E. Temporary Structures on Public Property**

Installation of tents, canopies, stages, or trailers on public land for commercial or recreational use, including vendor fairs, promotional events, or performances.

### **Section 1402. Permit Application and Conditions**

#### **A. Application Requirements**

Applicants must provide:

- Name, contact, and organization (if any),
- Description of the activity,
- Proposed date(s), location(s), and timeframes,
- Expected attendance or public interaction,
- Waste and parking plan, if applicable,
- Evidence of insurance if activity is commercial or high-risk.

#### **B. Review and Approval**

The Township Administrator may approve, deny, or conditionally approve applications based on:

- Public safety risk,
- Conflicts with zoning or existing permits,
- Community disruption or nuisance potential.

#### **C. Permit Conditions**

Permits may include:

- Time limits,
- Noise and crowd control standards,
- Clean-up or security requirements,
- Location restrictions.

### **Section 1403. Enforcement and Penalties**

#### **A. Civil Fines**

- Operating without permit: **\$250 per day**
- Violating terms of a permit: **\$150 per violation**
- Obstructing or endangering the public: Up to **\$500** per incident

## **B. Immediate Revocation and Removal**

The Township or Sheriff's Office may order immediate cessation or removal of any special use activity if:

- It poses a safety hazard,
- It creates a public nuisance,
- The terms of the permit are materially violated.

## **C. Cost Recovery**

If Township staff or contractors are required to clean, secure, or dismantle any unauthorized temporary use, those costs may be billed or certified as a lien.

## **Section 1404. Appeals**

Any person or organization cited or denied a permit may appeal the decision in writing within **ten (10) business days**. The Township Administrator will review and may convene a hearing with the Board of Trustees.

# **TITLE XV – VACANT PROPERTY REGISTRATION**

## **Section 1500. Purpose and Authority**

This Title is adopted to identify and manage vacant or abandoned properties within Jefferson Township. These properties are more likely to deteriorate, attract illegal dumping or squatting, and burden nearby property owners. This Title provides Jefferson Township with the legal authority to require registration, impose maintenance standards, and recoup enforcement costs.

This Title is enacted under ORC §§ 504.04, 505.87, and 715.26, and is intended to supplement the Township's nuisance, zoning, and property maintenance codes.

## **Section 1501. Applicability**

This Title applies to:

- Any residential, commercial, or industrial structure that remains **vacant, unsecured, or unoccupied for more than 90 consecutive days**, regardless of ownership status;
- Any property subject to a **mortgage foreclosure**, tax delinquency process, or recorded abandonment;
- Any property **deemed unfit for occupancy** by Township or County officials.

This requirement is separate from and in addition to any Business License or Rental Registration obligations under Title VI and XVII.

## **Section 1502. Registration Requirements**

### **A. Registration Timeline**

Property owners or mortgage holders must register any qualifying property within:

- **Thirty (30) days** of becoming vacant, or
- **Thirty (30) days** of a foreclosure filing, whichever is sooner.

### **B. Information Required**

The Vacant Property Registration Form must include:

- Owner and property manager contact information,
- Parcel number and address,
- Estimated date of vacancy,
- A plan for securing and maintaining the property,
- A 24-hour emergency contact.

### **C. Annual Renewal**

Registration is valid for one calendar year and must be renewed annually until the property is reoccupied, sold, or demolished.

## **Section 1503. Registration Fees**

### **A. Initial Fee**

- Residential: **\$150** per structure
- Commercial or Multi-Unit: **\$300** per structure

### **B. Annual Renewal Fees**

- Increase by \$100 per year, up to a maximum of \$500 annually

### **C. Waiver or Deferral**

The Township Administrator may waive or defer the fee for:

- Active insurance claim repairs,
- Probate or estate-related delays (with documentation),
- Compliance with demolition or rehab orders.

## **Section 1504. Property Standards and Requirements**

Registered vacant properties must:

- Be **secured** against unauthorized entry (e.g., locked doors, intact windows, no open crawl spaces),
- Display visible and weatherproof contact signage,
- Maintain lawn height under 10 inches,
- Remove debris, trash, graffiti, and signs of vandalism,

- Prevent standing water, pest infestation, or exterior deterioration.

Failure to meet these standards may result in citations under the Township Property Maintenance Code (Title II).

## **Section 1505. Enforcement and Penalties**

### **A. Civil Fines**

- Failure to register: Up to **\$250** per violation
- Failure to maintain: Up to **\$150/day** of noncompliance
- Obstruction of Township inspection: Up to **\$500**

### **B. Abatement and Cost Recovery**

If the Township abates grass, boards windows, or remediates nuisance conditions, the full cost will be invoiced or certified to the County Auditor as a lien under ORC §505.87.

### **C. Lien Priority**

Vacant property registration fees and enforcement costs shall constitute a lien of equal standing with other Township assessments.

## **Section 1506. Appeals**

Any property owner receiving a citation or fee under this Title may file a written appeal within **ten (10) business days** of notice. Appeals shall be reviewed by the Township Administrator, with final decisions appealable to the Board of Trustees.

# **TITLE XVI – RENTAL PROPERTY REGISTRATION**

## **Section 1600. Purpose and Authority**

Jefferson Township adopts this Title to regulate rental housing through mandatory property registration. This ensures that rental units are safe, code-compliant, and properly managed, while supporting neighborhood stability, housing quality, and effective communication with landlords.

This program is authorized under Resolution 25-043 and ORC §§ 504.04 and 505.23, and is enforced in coordination with Township Zoning, Property Maintenance, and Business License Codes.

## **Section 1601. Applicability**

This Title applies to all residential rental properties within Jefferson Township, including:

- Single-family homes,
- Duplexes and multi-unit dwellings,

- Accessory dwelling units or outbuildings rented separately,
- Landlord-occupied homes with tenant units.

**Exemptions:** Owner-occupied homes with only family members as tenants (non-rent paying) are exempt.

## **Section 1602. Registration Requirements**

### **A. Initial Registration**

Rental properties must be registered annually, effective April 1, 2025. Owners must file:

- A completed Rental Property Registration Form,
- Contact information for owner and manager,
- Business License application or reference number,
- Certification of zoning and property maintenance compliance.

### **B. Updates Required**

Owners must report changes in ownership, management, or contact information within **30 days** of the change.

### **C. Business License Linkage**

The Rental Property Registration Program is tied to the Jefferson Township Business License. One Business License includes the registration fee for **one** rental parcel.

- **Each additional rental parcel** owned by the same entity requires a **\$50** registration fee per parcel annually.

## **Section 1603. Registration Fees**

- **Initial property (via Business License):** \$100.00/year
- **Each additional rental parcel:** \$50.00/year

Fees are due annually and are non-refundable. Late renewals are subject to fines.

## **Section 1604. Enforcement and Penalties**

### **A. Citations and Fines**

Failure to register a rental property or update ownership records shall result in:

- **First Notice:** \$100 per unregistered property
- **Second Notice:** \$250 per property
- **Third Notice:** \$500 per property
- **Fourth Notice and beyond:** \$1,000 per property, assessed every **30 days** of non-compliance

**Maximum penalty:** \$1,000 per property, per 30-day period.

**B. Revocation of License**

Failure to register or repeated violations of zoning or maintenance codes may result in **revocation of Business License**, rendering the property ineligible for legal rental operations.

**C. Lien and Cost Recovery**

Unpaid fines may be added to the property's tax bill or certified to the Montgomery County Auditor in accordance with ORC §505.87.

**Section 1605. Appeals**

Any property owner receiving a fine or enforcement notice under this Title may appeal in writing to the **Business Compliance & Appeals Board (BCAB)** within **30 days** of the notice. The BCAB may uphold, reduce, or waive the penalty based on documented compliance efforts or hardship.



# **TITLE XVII – HISTORIC AND CULTURAL PRESERVATION**

## **Section 1700. Purpose and Intent**

Jefferson Township adopts this Title to recognize and preserve historically and culturally significant buildings, landscapes, and community sites that reflect the heritage of its residents, including sites important to African American, Indigenous, immigrant, rural, and working-class communities. The Township seeks to:

- Prevent destruction or defacement of historic assets,
- Encourage educational and tourism-related use of historic places,
- Leverage preservation for grant funding and community planning,
- Support cultural identity and storytelling across generations.

This Title is enacted under ORC §§ 504.04 and 149.41–149.43, and allows Jefferson Township to designate and protect significant sites, while engaging the public in preservation planning.

## **Section 1701. Definitions**

- **Historic Resource:** Any structure, district, site, or landscape at least 50 years old that is associated with a significant historical event, figure, architectural style, or cultural development.
- **Cultural Landmark:** A place deemed to have symbolic or storytelling value to a specific community group, including houses of worship, cemeteries, schools, and gathering spaces.
- **Designation:** The formal act of recognizing a property or area as protected under this Title.

## **Section 1702. Voluntary Designation Process**

### **A. Who May Apply**

Property owners, local historians, nonprofit organizations, or Township officials may request that a site be considered for historic or cultural designation.

### **B. Submission Requirements**

The application must include:

- A narrative summary of the site's significance,
- Supporting documents (e.g., photos, deeds, news clippings),
- Proposed boundaries or structures to be protected,
- Owner consent (for private property).

### **C. Review Process**

Applications shall be reviewed by the Township Administrator or a designated **Historic and**

**Cultural Recognition Committee**, and a recommendation shall be presented to the Board of Trustees for vote.

### **Section 1703. Effects of Designation**

Once designated, the following may apply:

#### **A. Preservation Incentives**

Designated sites may qualify for:

- Priority in local grant submissions,
- Special signage or markers,
- Tax or permit incentives for preservation or restoration.

#### **B. Protection from Demolition**

No designated structure may be demolished or substantially altered without 30-day notice to the Township and opportunity for public comment.

#### **C. Educational Use**

Designated sites may be included in Township-led walking tours, online exhibits, or educational partnerships with schools and cultural organizations.

### **Section 1604. Prohibited Conduct**

It shall be a violation of this Title to:

- Willfully destroy, deface, or remove signage from a designated historic or cultural site,
- Demolish a designated structure without required notice,
- Submit fraudulent information to obtain designation status.

Violators are subject to enforcement under Section 1605.

### **Section 1705. Enforcement and Penalties**

#### **A. Fines**

- First violation: Up to **\$250**
- Intentional demolition or vandalism: Up to **\$1,000** and potential criminal referral under ORC §2909.05 (vandalism)

#### **B. Restitution**

Where damage is done to a designated site, the Township may require restoration or impose a lien for any abatement or repair costs.

### **C. Revocation of Designation**

The Board of Trustees may revoke designation if the site is destroyed, misrepresented, or no longer meets criteria, after a public hearing.

### **Section 1706. Appeals**

Applicants denied designation or parties cited for violations under this Title may file a written appeal within **ten (10) business days**. The Board of Trustees shall hold a hearing and issue a final decision within **30 days**.

## **TITLE XVIII – RIGHT-OF-WAY MANAGEMENT AND ROADWAY SAFETY**

### **Section 1800. Purpose and Legal Authority**

Jefferson Township exercises full control over all public rights-of-way (ROW) within its unincorporated limits. This Title governs all work, access, maintenance, and obstructions within the ROW to:

- Prevent degradation of Township infrastructure;
- Protect public health and safety;
- Preserve clear flow of vehicular traffic, emergency access, and stormwater systems;
- Establish uniform permitting, inspection, and penalty enforcement.

This Title is adopted under Ohio Revised Code §§ 504.04, 505.17, 5571.02, 5589.01, 4511.07, and 3767.20. No portion of the right-of-way shall be used, altered, or occupied without Township authorization.

### **Section 1801. Definitions**

- **Right-of-Way (ROW):** Includes the entire width of land owned or controlled by the Township for road, drainage, pedestrian, or utility use, including ditches, curbs, sidewalks, and shoulders.
- **Encroachment:** Any unpermitted use, construction, or obstruction within the ROW, whether permanent or temporary.
- **Permittee:** An individual, business, or utility provider granted written permission by the Township to conduct activity within the ROW.

### **Section 1802. Unauthorized Uses and Obstructions Prohibited**

It shall be a violation of this Code to:

**A. Install anything in the ROW** (e.g. fencing, rocks, landscaping, retaining walls, decorative items, or signage) without written Township approval;

**B. Deposit or push debris, soil, snow, or yard waste** into any ditch, road surface, culvert, catch basin, or drain inlet;

**C. Drive over or alter Township ditches, curbs, or green space** without written authorization;

**D. Construct or replace driveways or culverts** in any manner that affects drainage or traffic flow without inspection and permit;

**E. Park vehicles, trailers, or equipment in the ROW**, including shoulders or ditches, for more than one hour without a special use permit.

### **Section 1803. Right-of-Way Permit Requirement**

#### **A. Mandatory Permits**

Any person or entity engaging in construction, excavation, utility installation, or driveway work within the ROW must first obtain a **Right-of-Way Permit** from the Township.

#### **B. Application Requirements**

Applications must include:

- A detailed site plan,
- Project timeline,
- Utility locate verification,
- Liability insurance and indemnification agreement,
- Applicable fees as determined by the Township Administrator.

#### **C. Work Without a Permit**

Work commenced without a permit is subject to **immediate stop work orders, fines, and mandatory restoration** at the violator's expense.

### **Section 1804. Inspection, Restoration, and Damage Recovery**

#### **A. Inspection Required**

All ROW work must be inspected:

- **Before construction begins,**
- **During key phases,** and
- **After completion.**

#### **B. Restoration Timeline**

All disturbed areas must be **restored within seven (7) calendar days** of project completion. This includes reseeding, grading, and proper drainage flow.

#### **C. Damage Liability**

Any damage to Township infrastructure — including signs, ditches, sidewalks, hydrants, or road

base — must be repaired immediately. If not, the Township may complete the work and bill the responsible party.

## **Section 1805. Civil Penalties and Enforcement**

### **A. Citations**

Township Officials may issue civil citations for any ROW violation. Each day a violation continues shall constitute a separate offense.

### **B. Civil Penalties**

<b>Offense</b>	<b>Fine</b>
First Violation	\$250
Second Violation (same party/property)	\$500
Major Damage or Unauthorized Work	Up to \$1,000 + repair cost

### **C. Lien and Recovery**

Unpaid fines and costs will be **certified to the Montgomery County Auditor** as a tax lien on the property under ORC §505.87. Collection actions may also proceed through civil court.

## **Section 1806. Emergency Authority and Immediate Abatement**

The Township reserves the right to remove or correct any dangerous ROW condition or obstruction without prior notice if it presents an **immediate threat to public safety**, infrastructure integrity, or emergency access. Full cost recovery will follow.

## **Section 1807. Property Owner Responsibilities**

Adjacent property owners are required to:

- Keep ditches and culverts clear of obstructions;
- Mow grass and weeds in the ROW;
- Remove illegal structures, trash, and signage from the ROW upon notice;
- Maintain visibility of mailboxes and address markings.

## **Section 1808. Appeals**

### **A. Appeal Rights**

Citations, stop work orders, or permit denials may be appealed in writing within **ten (10) business days** of issuance.

### **B. Hearing Process**

The Township Administrator will review the appeal. A hearing before the Board of Trustees may be requested if the matter remains unresolved.



# **TITLE XVIII – GENERAL ENFORCEMENT, PENALTIES, AND APPEALS**

## **Section 1900. Purpose and Legal Authority**

This Title consolidates the Township’s authority to enforce all provisions of the Jefferson Township Ordinance Code. Its purpose is to:

- Establish consistent enforcement standards across all code titles,
- Ensure local citations are legally binding and recoverable,
- Preserve Township control over fines and lien processes,
- Provide fair and transparent appeal rights for all affected parties.

This Title is enacted under Jefferson Township’s home rule authority (ORC Chapter 504), and in accordance with ORC §§ 505.87, 519.24, 3707.48, 504.05, and other applicable provisions referenced in specific Titles.

## **Section 1901. Citation Authority**

### **A. Who May Issue Citations**

The following personnel are authorized to issue citations and Notices of Violation under this Code:

- Township Administrator,
- Code Enforcement Officer,
- Zoning Inspector,
- Fire Chief (for life safety and occupancy),
- Montgomery County Sheriff’s Deputies operating under Township agreement.

### **B. Citation Format and Requirements**

All citations shall include:

- The specific section of the Township Code violated,
- The date of issuance and deadline for compliance,
- Fines or penalties assessed,
- Right to appeal and procedure.

**NOTE:** Where applicable, a reference to a parallel ORC provision may be included for legal clarity, but **all fines must be issued under the Township Code** to ensure they are payable to Jefferson Township.

## **Section 1902. Enforcement Tools and Remedies**

The Township may use the following enforcement tools:

#### **A. Notice of Violation (NOV)**

An NOV shall be issued for first-time or minor offenses. It shall include a deadline for voluntary correction.

#### **B. Civil Citation**

If the violation continues after the NOV deadline or poses significant risk, a formal Township citation may be issued, triggering fines and appeal rights.

#### **C. Administrative Order**

For repeat offenders or urgent matters, the Township Administrator may issue a written Administrative Order requiring immediate compliance, with daily fines assessed for delay.

#### **D. Emergency Action**

In the case of life-threatening conditions or public safety emergencies, the Township may act immediately to abate, repair, or secure the situation, with notice provided afterward.

#### **E. Stop Work Order**

For unlicensed construction, zoning violations, or contractor misconduct, a Stop Work Order may be issued and physically posted on-site.

### **Section 1903. Civil Penalties**

Unless otherwise stated in a specific Title, general civil penalties are as follows:

- **First Violation:** Up to **\$150**
- **Second Violation (same issue/property):** Up to **\$250**
- **Repeat or willful violations:** Up to **\$500**
- **Per-day fines:** May be assessed when conditions continue after a formal order or notice (typically \$50–\$150/day, depending on Title)

All fines issued under this Code are recoverable through civil court action or as liens certified to the Montgomery County Auditor under ORC §505.87.

### **Section 1904. Lien and Cost Recovery Authority**

#### **A. Lienable Costs**

Costs that may be recovered through property tax liens include:

- Civil fines,
- Contractor or Township crew abatement services,
- Legal fees,
- Administrative processing.

#### **B. Lien Certification Procedure**

The Township Administrator shall submit unpaid costs to the Fiscal Officer for placement on the tax duplicate. A written itemization shall be provided to the property owner.



### **C. Right to Contest**

Before lien certification, the property owner shall receive 14 days' notice and the right to appeal under Section 1805.

## **Section 1905. Appeals Process**

### **A. Standard Appeal Procedure**

Any citation, NOV, stop work order, license denial, or permit revocation may be appealed in writing within **ten (10) business days** of issuance. The appeal must state the reasons for contest and be filed with the Township Administrator.

### **B. Administrative Review**

The Administrator shall review the appeal and may hold an informal hearing. A written decision shall be issued within **10 business days**.

### **C. Board of Trustees Hearing**

If not resolved, the appellant may request a formal hearing before the **Board of Trustees**, which must occur within **30 days**. The Board's decision is final.

### **D. Judicial Review**

Final administrative decisions may be appealed to the Montgomery County Court of Common Pleas under ORC Chapter 2506.

## **Section 1906. Criminal Penalties – Minor Misdemeanors**

### **A. Classification**

Any violation of the Jefferson Township Ordinance Code may, at the discretion of the enforcing officer or the Township Administrator, be classified as a **minor misdemeanor** under ORC §2929.28 and ORC §2901.02 if:

1. The offense poses a risk to public health, safety, or welfare,
2. The violation is repeated or willful after notice, or
3. The conduct involves vandalism, obstruction, or public endangerment.

### **B. Penalty**

Pursuant to Ohio law, a minor misdemeanor is punishable by:

- A **fine not to exceed \$150**, and
- **Court costs**, with no jail time or probation.

### **C. Referral Procedure**

When a Township official or law enforcement officer determines criminal classification is appropriate, the matter may be referred to:

- The **Montgomery County Prosecutor**,
- The **Municipal Court**, or

- Processed by **citation directly to court** through the Montgomery County Sheriff's Office.

#### **D. Criminal Violation Examples**

The following may be subject to criminal citation as a minor misdemeanor:

- Refusal to comply with an abatement or stop work order,
- Unlawful dumping or storm drain obstruction,
- Vandalism to public signs, art, or park property,
- Operating a business or rental property after license revocation,
- Harassment or threats against Township enforcement personnel.

#### **E. Escalation Authority**

Where criminal conduct rises above minor misdemeanor standards (e.g., resisting enforcement, repeated violent behavior, illegal dumping over \$1,000 in value), referral may be made for prosecution under applicable felony or higher misdemeanor statutes in the Ohio Revised Code.

#### **Section 1907. Consistency with Ohio Law**

The Jefferson Township Ordinance Code shall not conflict with the Ohio Constitution or preemptive provisions of the Ohio Revised Code. Where a conflict exists, the Code shall be interpreted to provide the maximum level of local control permitted by law.

# **TITLE XX – LOCAL TRAFFIC AND PARKING REGULATIONS**

## **20.01 Purpose and Legal Authority**

This section is enacted to protect Jefferson Township residents and infrastructure through the regulation of traffic flow and parking behavior. The goals are to:

- Promote public safety and emergency access,
- Preserve road integrity and clear drainage,
- Prevent nuisance vehicle activity, and
- Ensure citation revenue benefits the Township directly.

This section is authorized under **ORC §§ 504.04, 505.17, and 4511.07**.

## **20.02 Definitions**

- **Right-of-Way (ROW):** The publicly owned land encompassing streets, shoulders, sidewalks, drainage ditches, and green strips.
- **Standing Vehicle:** A vehicle stopped but not engaged in passenger pickup/drop-off or active loading/unloading.
- **Obstruction:** Any object or condition impeding safe movement of vehicles, pedestrians, or stormwater.

## **20.03 Prohibited Parking and Obstructions**

It shall be unlawful to park, stop, or leave standing a vehicle:

1. In any Township-posted or striped “No Parking” zone;
2. Within ten (10) feet of a fire hydrant or marked fire lane;
3. In front of or within three (3) feet of any driveway, mailbox, or sidewalk;
4. On grass, drainage ditches, unpaved shoulders, or other unapproved areas of the ROW;
5. Within Township parks or at entrance gates without permission;
6. On Township streets between **2:00 AM and 6:00 AM** without a valid permit;
7. For over 48 continuous hours in the same public spot;
8. In cul-de-sacs or on narrow roads in a way that restricts turnaround access;
9. In any manner that interferes with snow removal, storm drainage, trash collection, or utility access.

## **20.04 Special Traffic Restrictions During Events**

For Township-sanctioned events (e.g. Jefferson Township Day, parades, block parties), the Township may:

- Enact temporary “No Parking” zones,

- Establish resident-only or emergency access routes,
- Erect barricades, cones, or signage as needed.

Vehicles violating event restrictions may be **ticketed or towed without prior warning**, with notice posted in advance by signage or public bulletin.

## 20.05 Commercial Vehicle Restrictions

A. **Idling:** No commercial vehicle may idle for more than **15 minutes** in a residential area.

B. **Overnight Parking:** No trailer, dump truck, or commercial vehicle exceeding 1.5 tons may park overnight on public streets or shoulders unless performing active, permitted work.

C. **Work Zone Parking:** Commercial vehicles must use cones/signage when parked in a way that affects pedestrian or traffic flow. Vehicles blocking ROWs without a permit may be removed.

## 20.06 Civil Penalties

Violation	Fine
First Offense	\$50
Second Offense (within 12 months)	\$100
Third or More	\$150 per occurrence
Fire Lane / Hydrant Violation	\$250 + Tow

Each additional day a violation remains unresolved may result in additional citations.

## 20.07 Enforcement

Township citations under this section may be issued by:

- The Township Administrator,
- Code Enforcement Officer,
- Montgomery County Sheriff's Deputies under contract.

All fines shall be issued under **Township authority** and paid to **Jefferson Township**.

## 20.08 – Excessive Noise and Engine Braking Restrictions

### 20.08.01 Purpose

This section is adopted to reduce noise pollution, preserve residential peace, and ensure the safe operation of vehicles on Township roads. Excessive engine noise is disruptive to public health, welfare, and the enjoyment of private and public property.

## 20.08.02 Prohibited Activities

It shall be a violation of this section for any person operating a motor vehicle within Jefferson Township to:

- A. **Operate a vehicle with an excessively loud or modified exhaust system**, including straight pipes or muffler-delete systems, in a manner that causes unnecessary or unusual noise;
- B. **Play music, alarms, or audio systems from a vehicle at a volume** plainly audible more than **75 feet** from the vehicle while stopped, parked, or traveling on public roads or rights-of-way;
- C. **Use engine compression braking systems ("Jake Brakes")** on any Township road **except in emergency situations** or where permitted by signage.

## 20.08.03 Presumption of Violation

- A vehicle producing **sharp, repeated popping or roaring sounds**, or
- A driver using an engine brake while approaching a stop sign or speed zone, or
- A stereo system plainly audible from adjacent properties, homes, or sidewalks

...shall constitute **prima facie evidence** of a violation.

## 20.08.04 Exceptions

This section shall not apply to:

- Authorized emergency vehicles using sirens or horns in the performance of duty;
- Vehicles involved in emergency braking to avoid collision;
- Agricultural equipment operating legally under ORC 4511.215.

## 20.08.05 Enforcement and Penalties

- **First Offense:** \$100
- **Second Offense** (within 12 months): \$250
- **Third or More:** \$500 + possible referral to court

Violations may be cited by Township-authorized officers or Montgomery County Sheriff's Deputies.

## 20.08.06 Posting

Signs stating "**ENGINE BRAKING PROHIBITED**" shall be installed at appropriate Township entry points. Signage shall be sufficient notice for purposes of enforcement.

## 20.09 – Unauthorized Signage and Pavement Markings

### 20.09.01 Purpose

This section ensures that all signage and markings within Jefferson Township rights-of-way (ROW) maintain safety, visibility, and aesthetic standards. Unauthorized signs, paint, stickers, or physical obstructions create confusion, visual clutter, and interfere with traffic flow and emergency response.

### 20.09.02 Prohibited Activities

It shall be unlawful for any person, business, or organization to:

- A. **Erect, post, or place any sign, flyer, or banner** on public utility poles, stop signs, streetlights, fences, or trees located in the public right-of-way without written Township permission;
- B. **Paint or apply markings on any curb, sidewalk, or pavement** in a public ROW without written authorization from the Township;
- C. **Use balloons, flags, or banners** tied to ROW structures (e.g., signs, hydrants, trees) for promotional or private purposes;
- D. **Leave yard sale, lost pet, or political signs** in the ROW more than **48 hours after the event or election has concluded**.

### 20.09.03 Immediate Removal

The Township may remove any unauthorized signs or markings without notice. Property owners, residents, or businesses responsible may be billed for:

- Sign removal labor,
- Damage repair to poles, trees, or signs,
- Traffic obstruction fines if safety is impacted.

### 20.09.04 Civil Penalties

Violation Type	Penalty
Unauthorized sign in ROW	\$100
Unauthorized pavement/curb painting	\$250 + restoration costs
Repeat offenses (within 12 months)	\$500 per violation

Each separate item posted or marked shall constitute an individual violation.

## 20.09.05 Permitted Exceptions

The following are not violations:

- Temporary signage placed by the Township or public utility companies,
- Event signage authorized under Township-issued permits,
- Signs installed by emergency responders, County Engineers, or ODOT.

## 20.10 – Utility Access and Drainage Obstruction

### 20.11.01 Purpose

This section is enacted to preserve public infrastructure by preventing individuals from blocking access to critical utilities or interfering with drainage systems. Obstructions delay emergency repairs, cause flooding, and damage roads and private property.

### 20.10.02 Prohibited Activities

No person shall, without written Township permission:

**A. Park, place, or store any vehicle, dumpster, container, or material** over or within **10 feet** of:

- Manhole covers
- Storm drains or inlets
- Culverts or ditches
- Water valves or shutoff points
- Utility access panels

**B. Block or fill any ditch, swale, or culvert** in a Township ROW with soil, leaves, landscaping, snow, debris, or construction materials in a way that prevents drainage.

**C. Redirect water flow or alter roadside grading** in a way that causes pooling, flooding, or shoulder erosion on public land or a neighbor's property.

### 20.10.03 Civil Penalties

Violation Type	Penalty
Obstructing utility access or storm drains	\$150
Deliberate filling/blocking of ditch	\$250 + full cost of Township cleanup
Repeat or willful offense	\$500 per violation + lienable costs

Each day an obstruction exists is a separate violation.

#### **20.10.04 Township Right to Abate**

The Township may **remove or clear any obstruction** that:

- Creates a hazard,
- Blocks emergency or utility work, or
- Interferes with drainage or safety.

Abatement costs will be billed to the responsible party or certified as a lien under ORC §505.87.

### **20.11 – Non-Street Legal Vehicle Restrictions**

#### **20.12.01 Purpose**

This section is adopted to promote roadway safety, reduce nuisance behavior, and protect pedestrians by prohibiting the use of unlicensed or unsafe vehicles on public roads and Township rights-of-way.

#### **20.11.02 Definitions**

- **Non-Street Legal Vehicle** includes but is not limited to:
  - ATVs, mini-bikes, dirt bikes, go-karts, motorized scooters (not ADA devices), golf carts (unless licensed under ORC), and any vehicle not registered with the BMV for on-road use.

#### **20.11.03 Prohibited Activities**

No person shall:

**A. Operate any non-street legal vehicle** on Township streets, sidewalks, shoulders, trails, ditches, or parks, whether paved or unpaved;

**B. Permit a child under 16 years of age** to operate a non-street legal vehicle in the right-of-way or in any public space;

**C. Use any vehicle lacking required lights, plates, or safety features** as defined under ORC §4511.01 et seq. on public roads within the Township.

#### **20.11.04 Exceptions**

This section does not apply to:

- Emergency vehicles or Township-authorized maintenance equipment,
- ADA-compliant personal mobility devices,
- Farm equipment lawfully operating under ORC §4511.215,



- Golf carts licensed by the BMV and inspected by the County Sheriff in accordance with state law.

### 20.11.05 Civil Penalties and Enforcement

Violation Type	Penalty
First offense	\$100
Second offense (within 12 months)	\$250
Third or more	\$500 per offense + impoundment (if applicable)

Vehicles may be impounded or towed at the owner's expense. Repeat violations may be referred for criminal prosecution.

### 20.12 – Block Party Regulations and Traffic Control Permits

Neighborhood block parties within Jefferson Township are regulated by **Resolution 25-075**, which outlines the permitting process, street closure protocols, resident notification requirements, and enforcement measures.

Key provisions include:

- A mandatory permit with a \$150 fee,
- Four-week advance application submission,
- Zoning eligibility restrictions (permitted in residential districts only),
- Emergency access requirements,
- Required compliance with the Township Noise Ordinance (Resolution 23-024), and
- Clear enforcement powers for the Montgomery County Sheriff's Office.

All residents intending to hold a block party on any public street must follow the process and criteria detailed in **Resolution 25-075**, which is incorporated by reference into this Code.

Violation of the block party permit process or hosting a non-permitted event may result in:

- **Civil fines up to \$500,**
- **Revocation of the event, and**
- **Ineligibility for future permits.**

### 20.13 Appeals

Cited individuals may submit a written appeal within **ten (10) business days**. Appeals will be reviewed by the Township Administrator. A further appeal may be requested before the Board of Trustees.