

VILLAGE OF LOCKLAND, OHIO

ORDINANCE # 2026 - 341

AN ORDINANCE AMENDING CHAPTERS 660 AND 1426 REGARDING MATTERS RELATED TO EXTERIOR PREMISES AND JUNK VEHICLES AND DECLARING AN EMERGENCY

- WHEREAS**, Section 660.07 does not adequately provide a defensible mechanism for the Village to prohibit junk vehicles on exterior premises; and
- WHEREAS**, it is necessary that the Village incorporate a “junk vehicle” ordinance into the property maintenance code, Chapter 1426, to allow for the effective enforcement of the junk vehicle prohibition.; and
- WHEREAS**, in light of these various changes and considerations, it is necessary to adopt the junk vehicle process and procedures as is proposed in Exhibit A of this Ordinance, to enforce junk vehicle related violations, and to repeal Section 660.07 concerning the same; now therefore,

BE IT ORDAINED by the Council of the Village of Lockland, State of Ohio, that:

SECTION I Section 660.07 is hereby repealed in its entirety, as shown as Amendment # 1 on Exhibit A, attached hereto and incorporated by reference herein; and

SECTION II The remainder of Chapter 660 shall remain as written; and

SECTION III Chapter 1426 is hereby amended as shown as Amendment # 2 on Exhibit A, attached hereto and incorporated by reference herein, wherein Section 1426.03 is amended, 1426.04 is added, and former Section 1426.04 is renumbered to be 1426.05; and

SECTION IV Code section number references in Section 1426.04 shall be updated to reflect the proper code section references without additional legislative approval, where such notations in Exhibit A are currently represented by placeholders; and


SECTION V The remainder of Chapter 1426 shall remain as written; and

SECTION VI This ordinance is hereby declared to be an emergency measure necessary to preserve the health, safety and general welfare of the Village of Lockland. The reason for said emergency is the necessity to have clear and legal policies which allow enforcement of property maintenance related provisions, including those related to junk vehicles. Therefore, this ordinance shall become effective immediately.

Passed this 8 day of June, 2026.



Mayor, Village of Lockland

Attested: 

Clerk of Council

EXHIBIT A

to Ord. # 2026 - 34

Amendment # 1 - PART SIX – GENERAL OFFENSES CODE, CHAPTER 660, SAFETY, SANITATION AND HEALTH

~~§ 660.07 STORAGE OF JUNK, UNLICENSED AND INOPERABLE VEHICLES.~~

~~—(a) As used in this section, JUNK MOTOR VEHICLE means any motor vehicle which is three years old or older; extensively damaged, such damage including but not limited to any of the following: missing wheels, tires, motor or transmission; apparently inoperable; and having a fair market value of \$200 or less, that is left uncovered in the open on private property for more than 72 hours with the permission of the person having the right to possession of the property, except if the person is operating a junk yard or scrap metal processing facility licensed under authority of Ohio R.C. §§ 4737.05 to 4737.12, or regulated under the authority of the municipality; or if the property on which the motor vehicle is left is not subject to licensure or regulation by any governmental authority, unless the person having the right to possession of the property can establish that the motor vehicle is part of a bona fide commercial operation; or if the motor vehicle is a collector's vehicle, as defined in Ohio R.C. § 4501.01(F). An UNLICENSED MOTOR VEHICLE shall mean any vehicle not displaying a current valid license plate, including any validation sticker, other than a vehicle exempt in Ohio R.C. Chapter 4503. An INOPERABLE MOTOR VEHICLE shall mean any vehicle missing wheels, tires, windshield, motor or transmission or which has been so damaged as to appear not safely operable, or if a motor is unable to start and run for at least one minute. Any vehicle that remains parked at or near the same location for more than 30 consecutive days shall be presumed to be inoperable.~~

~~—(b) No person shall store or park for longer than three days any junk, unlicensed or inoperable motor vehicle in any residential district established by the Zoning Code, specifically including the R-1, R-2, R-3, R-4, R-O-C, R-PUD-1, and R-PUD-2 zones or on any property outside those zones used for residential purposes, other than in a garage or in a place not open to view from any other residential property or any public street or place. For the purposes of this section, a junk, unlicensed or inoperable motor vehicle draped by a tarpaulin or similar covering is deemed open to view from another residential property, public street or place unless it is in a garage or other permanent enclosed structure. Each day's violation shall be considered a separate offense.~~

~~—(c) The Chief of Police or the Code Enforcement Officer may give notice to the person having the right to possession of the property on which a junk, unlicensed or inoperable~~

~~motor vehicle is left, by certified mail with return receipt requested, by regular U.S. mail to the person's last known place of residence, or by personally serving the person in charge of such premises by leaving such notice at his or her usual place of residence, that within ten days of receipt of the notice, the junk motor vehicle either shall be covered by being housed in a garage or other suitable structure or shall be removed from the property.~~

~~—(d) No person shall willfully leave a junk motor vehicle uncovered in the open for more than ten days after receipt of a notice as provided in this section. The fact that a junk motor vehicle is so left is prima facie evidence of willful failure to comply with the notice, and each subsequent period of 30 days that a junk motor vehicle continues to be so left constitutes a separate offense.~~

~~—(e) Whoever violates this section is guilty of a minor misdemeanor.~~

Amendment # 2 - PART FOURTEEN – BUILDING AND HOUSING CODE, CHAPTER 1426, PROPERTY MAINTENANCE CODE

§ 1426.03 REVISIONS AND ADDITIONS TO THE ADOPTED INTERNATIONAL PROPERTY MAINTENANCE CODE.

Certain parts of the adopted 2012 International Property Maintenance Code are hereby revised as follows:

Section 101.1. Insert “Village of Lockland”.

Section 102.3. Replace “International Existing Building Code” with “Building Code of the Village of Lockland” and “International Zoning Code” with “Village of Lockland Zoning Code”.

Section 106.3 Prosecution of Violation. Delete this section and replace with:

“Section 106.3 Notice of Violation. Any person failing to comply with a notice of violation or order served in accordance with Section 107 shall be deemed guilty of a misdemeanor and is subject to the terms of Lockland Municipal Code Chapter 698, General Offenses Code.”

Section 108.1.5 Dangerous *structure* or *premises*. Delete Section 108.1.5 in its entirety.

Section 109.5. Add (to the end of the last line): “; or the cost of such repair shall be charged against the land on which the abatement took place as a municipal lien”.

Section 111.1. Replace “board of appeals” with “Housing Appeals Board”.

Section 111.2. Replace with “Membership of Board. Board members shall be appointed by Council for overlapping terms of three years. One of the first members shall be appointed for one year, one for two years and one for three years. Each member shall serve until a successor is

appointed. Thereafter, each member shall be appointed for a full three-year term. To be eligible for appointment to the Board, a person shall be a citizen of the United States and a resident of the municipality”.

Section 201.3. Replace “International Building Code, International Fire Code, International Zoning Code, International Plumbing Code, International Mechanical Code, International Existing Building Code and the ICC Electrical Code” with “adopted codes of the Village of Lockland”.

Section 202 General Definitions. Add the following on the end of the definition for, “Code Official”: “Within the Village of Lockland, the 'Code Official' is known as the 'Code Enforcement Officer.’”

Section 302.4. Insert “eight (8) inches”.

Section 302.4. Add (to the end of the last line) “; or the cost of such abatement shall be charged against the land on which the abatement took place as a municipal lien.”

Section 302.4, Weeds. Add (as an additional third paragraph): “Notices of a violation of this Section 302.4 shall only be required to be given once in a calendar year. That notice shall be given as described in Section 107 of the International Property Maintenance Code and shall advise the property owner that failure to abate the violation in the time provided may result in the Village proceeding to abate the violation and assess the cost against the property owner. Any further violations that calendar year of Section 302.4 shall not require additional notices prior to the Village taking steps to abate the violation.”

Section 302. Repeal Section 302.8. “Motor Vehicles” in its entirety and replace with Section 302.8, “Junk Vehicles. Junk vehicles shall be governed by the provisions found in the Village of Lockland, Ohio Code of Ordinances, Section 1426.05.”

Section 302. Add “Section 302.10. Outdoor Storage for Businesses. All businesses, servicing or processing, except for off-street loading, shall be conducted within completely enclosed buildings. Businesses such as outdoor cafes may be accepted upon approval. All storage of materials, goods or products, including inoperative vehicles, shall be within enclosed buildings or shall be effectively screened from view in an approved manner.”

Section 302. Add “Section 302.11 Outdoor Storage for Residences. In residential areas, all outdoor storage of any kind, including inoperative vehicles, for a continuous period exceeding seven days, shall be enclosed in a building or obscured from view. The storage of standard items, such as firewood and bicycles, shall be exempt from this provision.”

Section 304.13. Insert the following provision as Section 304.13.3:

304.13.3 Window Glazing Coverings. No person shall utilize plywood, blankets, newspaper, flags, banners, signs or other building materials not intended or designed as window treatments

as permanent window coverings, on either the exterior or interior of the windows which are visible from the public right of way, for more than one (1) 15-day period in a calendar year.

Section 304.14. Insert “May 1” and “October 31”.

Section 305.3. Add (to the end of the last line): “Kitchen, bathroom and toilet room floors shall be covered with appropriate materials which are reasonably impervious to water so as to be maintainable in a clean and sanitary manner.”

Section 401.3. Replace “International Building Code” with “Village of Lockland Building Code”.

Section 505.1. Replace “International Plumbing Code” with “Hamilton County Plumbing Code”.

Section 602.2. Replace “for the locality indicated in Appendix D of the International Plumbing Code” with “of five (5) degrees Fahrenheit”.

Section 602.3. Insert “October 1” and “April 30” on the fifth line. Replace “as indicated in Appendix D of the International Plumbing Code” with “of five (5) degrees Fahrenheit”.

Section 602.4. Insert “October 1” and “April 30”.

Sections 702.1, 702.2, 704.1 and 704.2. Replace “International Fire Code” with “Village of Lockland Fire Code”.

Section 702.3. Replace “International Building Code” with “Village of Lockland Building Code”.

Chapter 8. Replace entire chapter with “Referenced Standards are:

2011 NEC (National Electrical Code);

2013 ORC (Ohio Residential Code);

2011 OBC (Ohio Building Code);

2011 OMC (Ohio Mechanical Code);

2011 OFC (Ohio Fire Code);

2011 OPC (Ohio Plumbing Code);

and all subsequent revisions”.

§ 1426.04 JUNK VEHICLES.

(A) Prohibition against junk vehicles on private property. No person in charge or control of any property within the village, whether as owner, tenant, occupant, lessee, or any person otherwise having care or control of any premises within the village, shall allow

any “JUNK VEHICLE” – defined as any vehicle which is wholly or partially dismantled, inoperable, wrecked, or any vehicle which does not have secured to it the full number of current license plates required by the laws of the state - to remain on such property longer than three (3) consecutive days per calendar year. No person whether as owner, tenant, occupant, or lessee of such property or as owner, renter or other rightful user or person with a right to possession of any such vehicle shall allow any such vehicle to remain on any property within the village for a longer time than three (3) consecutive days per calendar year; except that this section shall not apply to such a vehicle that is stored completely within an enclosed building or garage, is being kept in association with a lawfully operating junk yard or scrap metal processing facility licensed under authority of Ohio R.C. §§ 4737.05 to 4737.12, or is otherwise specifically permitted pursuant to Zoning Code as found in the Village of Lockland, Ohio Code of Ordinances.

(B) Status of junk vehicles as public nuisance. The location or presence of any junk vehicle on any public or private land or property, or public or private street, alley, or way within the Village of Lockland is hereby deemed a public nuisance and is subject to summary abatement as provided in this section, any other ordinance or law of the Village of Lockland or as provided under any relevant portion of the Ohio Revised Code. No person shall permit a junk vehicle to remain in the open on any public or private property within the Village of Lockland after receipt of a notice to remove such vehicle due to its nature as a public nuisance.

(C) Enforcement; authority of Code Enforcement Officer; notices of violation; powers of the Code Enforcement Officer. The Code Enforcement Officer, as designated by this chapter, is hereby authorized and directed to enforce the provisions of this section, through himself/herself or through a designee. The Code Enforcement Officer shall have the authority to render interpretations of this section and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of this section. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this section.

(1) Inspections. The Code Enforcement Officer shall make all of the required inspections, or shall accept reports of inspection by approved designees, agencies or individuals. All reports of such inspections shall be in writing. The Code Enforcement Officer is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the appointing authority.

(2) Right of entry. The owner, occupant, tenant, or person in charge of any property possesses the right to deny entry to any property by the Code Enforcement Officer or his/her designee for the purpose of compliance with this section. However, nothing in this section shall prohibit the Code Enforcement Officer or his/her designee from asking

permission from an owner, occupant, tenant, or person in charge of property for permission to inspect such property for compliance with this section and all other applicable laws, regulations and codes, to seek a search warrant based on probable cause, or to enter such property in case of emergency circumstances requiring expeditious action.

(3) Identification. The Code Enforcement Officer shall carry proper identification when inspecting premises in the performance of duties under this section.

(4) Notice of violation; orders.

(a) Notice to person responsible. Whenever the Code Enforcement Officer determines that there has been a violation of this section, notice shall be given in the manner prescribed in division (X)(4)(b) below as to form and division (X)(4)(c) below as to method of service to the party or parties responsible for the violation as specified in this section.

(b) Form. Such notice prescribed in division (X)(4)(a) of this section shall be in accordance with all of the following. Such notice shall:

1. Be in writing;
2. Include a description of the property/premises sufficient for identification;
3. Include a photograph or photographs of the junk vehicle, taken by the official making such inspection;
4. Include a statement of the violation or violations and why the notice is being issued. Such statement shall include the following details, to the extent such details are available:
 - a. The make and model of the vehicle;
 - b. The vehicle identification number; and
 - c. Description of the damaged or missing parts or equipment;
5. Include a correction order that shall state that the responsible party has three (3) days from time of delivery/posting of the order to either (1) remove the vehicle(s) that are the subject of the notice; or (2) to give written notice of an appeal of the Village of Lockland pursuant to division (D) below; and
6. Inform the party responsible of the village's right to file to abate the violation and to file a lien in accordance with division (F)(3) below.

(c) Method of service. Such notice shall be deemed to be properly served if a copy thereof:

1. Is delivered personally by the Code Enforcement Officer or his/her designee and handed to an individual at the premises, or if no individual is present, a copy thereof shall be posted in a conspicuous place in or about the premises by such notice; or

2. Is sent by certified or first-class mail addressed to the last known address of the party responsible; or

3. If mailed and returned as undelivered, such letter or a copy thereof is subsequently posted in a conspicuous place in or about the premises by such notice.

(d) Unauthorized tampering. Signs, tags or seals posted or affixed by the Code Enforcement Officer shall not be mutilated, destroyed or tampered with, or removed without authorization from the Code Enforcement Officer.

(e) Modifications. Whenever there are practical difficulties involved in carrying out the provisions of this section, the Code Enforcement Officer shall have the authority to grant modifications for individual cases upon application of the party responsible provided the Code Enforcement Officer shall first find that special individual reason makes the strict letter of this section impractical, the modification is in compliance with the intent and purpose of this section and that such modification does not lessen health, life and fire safety requirements. The details of action granting modifications shall be recorded and entered in the department files.

(D) Appeal. If any recipient of a notice of violation of this section to remove a junk vehicle would like to appeal the order, a written notice of appeal must be filed with the Board of Zoning Appeals at the Village of Lockland village offices at 101 N. Cooper Avenue prior to the expiration of the three (3) day time limit from receipt of such notice/delivery and posting of such notice. An appeal may only be filed by:

(1) Appearing in person at the village offices at 101 N. Cooper Avenue and completing a written notice of appeal; or

(2) Sending a written notice of appeal via facsimile or regular U.S. mail, as long as it is received by the village at the village offices at 101 N. Cooper Avenue prior to the expiration of the three (3) day time limit.

(E) Conclusive presumption of junk vehicle as a public nuisance. If any recipient of a notice to remove a junk vehicle fails to either (1) comply with the notice of violation/order; or (2) appeal the notice in writing pursuant to the notice and to this section, the vehicle or vehicles that are the subject of the order shall be conclusively presumed to be "junk vehicle(s)" and a public nuisance, and such public nuisance may be abated by the Police Department by way of removing the violating vehicles from the premises.

(F) Enforcement and penalties. If the party responsible neither complies with the notice of violation/order nor appeals the notice within the time provided, the Code Enforcement

Officer may institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, including the following:

(1) Whoever violates any provision of this chapter for which no penalty is otherwise provided, shall be fined not more than \$100 per occurrence. A separate offense shall be deemed committed on each day that a violation occurs or continues; in the case of junk vehicles under this section, each day and each individual vehicle shall constitute a separate offense.

(2) Injunctive relief; and

(3) Removal and disposal of junk vehicles.

(a) The Code Enforcement Officer or his designee may direct the Police Department to order the junk vehicle towed or otherwise removed from the property or place where found in the event that the Code Enforcement Officer or his/her designee has determined, upon lawful inspection, that the junk vehicle possesses any of the following characteristics, which constitute an imminent danger to the public health, safety, or general welfare:

1. The junk vehicle has become a breeding ground or harbor for mosquitoes or other insects, snakes, rats, or other pests;

2. The junk vehicle has become a point of heavy growth of weeds or other noxious vegetation over eight inches in height;

3. The junk vehicle is a point of concentration of gasoline, oil, or other flammable or explosive materials;

4. The junk vehicle is so located that there is a danger of the vehicle falling or turning over; or

5. The junk vehicle is a source of danger for children through entrapment in areas of confinement that cannot be opened from the inside or from exposed surfaces of metal, glass, or other rigid materials.

(b) Thereafter, such junk vehicle shall be deemed forfeited, to be disposed of in accordance with the terms of this section.

(c) Prior to being removed, the junk vehicle shall be:

1. Photographed by the authorized official ordering the removal of such vehicle;

2. The authorized official shall verify in writing that the vehicle is the same as described in the inspection provided under division (X)(4)(b);

3. The authorized official shall include a written and photographic description as to the reasons the junk vehicle is determined to meet one or more of the characteristics of § [insert junk vehicle definition section here]

4. Once the authorized official has documented the junk vehicle's status per the above terms, the Police Department shall thereupon tow, remove, or cause to be removed such "junk vehicle" and shall immediately dispose of it to a vehicle salvage dealer, as defined in R.C. § 4738.01, or a scrap metal processing facility, as defined in R.C. § 4737.05.

5. Recovery of costs. Any monies accruing from the disposition of a junk vehicle that are in excess of the expenses incurred by the village for towing, removal or storage of the vehicle shall be credited to a fund of the Village of Lockland.

6. Lien filed. Any action taken by the authority having jurisdiction on such premises where costs of abatement of the violation are incurred by the village over and above what was recoverable pursuant to the above division (F)(3)(c)5., such costs shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

§ 1426.054 SEVERABILITY.

If any section, subsection, sentence, clause or phrase of this chapter is for any reason, held to be unconstitutional such decision shall not affect the validity of the remaining portions of this chapter. The Village Council hereby declares that it would have passed this chapter, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.