

Amended
ORDINANCE NO. 98- 08

By: Robyn Jones

An Ordinance to enact Section 244.03 of the Administrative Code establishing a Landscape Permit fee.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BEXLEY, OHIO:

Section 1. That Section 244.03 of the Administrative Code is hereby enacted as follows: Landscape Contractors will be required to obtain a permit in order to conduct business in Bexley as addressed below:

Landscape Contractor Defined.

As used in this chapter, "landscape contractor" means a person who, on commercial or residential property in the City, engages in the business of regrading land; installing topsoil and mulch; planting lawns, shrubs and trees; installing walkways of stone, brick or slag; mowing lawns; trimming bushes and trees; raking leaves; and replanting trees and bushes. *This definition does not apply to those under the age of 18, and having a gross income as a landscape contractor of 2000. or less.*

No person shall engage in the business of being a landscape contractor in the City without first obtaining a permit therefore from the Building Department. ~~Private individuals performing casual labor are exempt from this Ordinance.~~

Application for Permit

(a) The following information shall be provided by any applicant for a landscape contractor's permit:

- (1) The name, address, zip code and telephone number of the business office and of the home of the owner of the business;
- (2) The make, model, serial number and state license plate number of the vehicles or machines to be used in the landscape contractor's operations within the City; and
- (3) Other jurisdictions within the State, if any, where the applicant has obtained a landscape contractor's permit

(b) The application for a landscape contractor's permit shall be accompanied by a non refundable fee of twenty-five dollars (\$25.00).

Effective Period and Revocation of Permit

(a) A landscape contractor's permit shall be effective from January 1 to December 31 of each calendar year. A permit issued in one such period is not valid for a subsequent time period.

(b) A landscape contractor's permit is subject to revocation by the Service Director or Code Enforcement Officer upon the following grounds:

- (1) Fraud or willful and knowing misrepresentation made in applying for the

- landscape contractor's permit or made in the conduct of the landscape contractor's business;
- (2) Failure to pay any fees as required by this chapter
 - (3) Changing the approved contours for lots or lands without first obtaining the permission of the building department;
 - (4) Neglecting to remove company identification signs when the landscape contractor's job is completed as a particular property;
 - (5) Removal or installation of drainage ways, sewers, swales etc., without approval of the building department;
 - (6) Dumping debris, and waste materials on vacant lots;
 - (7) Dumping topsoil, humus, waste material and other landscape products and debris on streets and tree lawns or into sewers, swales, drainage ways and streams in the City;
 - (8) Repeatedly tracking mud onto the streets of the City; or
 - (9) Violating any State laws pertaining to vehicle registration or business regulation.

Penalty

Whoever violates any provision of this chapter is guilty of a misdemeanor of the fourth degree and shall be fined not more than two hundred fifty dollars (\$250.00) or imprisoned not more than thirty days, or both, for each offense. A separate offense shall be deemed committed each day during or on which a violation occurs or continues.

Section 2. That this ordinance shall be in effect from and after ~~the earliest~~ ^{January 1} ~~period allowed by law.~~ _{2009.}

Passed: Oct 28, 2008

Matthew J. Lampke
President of Council

Attest: [Signature]
Clerk of Council

Approved: 10/28, 2008
John M. Brennan
John M. Brennan, Mayor

First Reading 10-7-08
Second Reading 10-14-08
Third Reading 10-28-08
Passed 10-28-08