



City of Napoleon, Ohio

Zoning Department

255 West Riverview Avenue, P.O. Box 151
Napoleon, OH 43545

Mark B. Spiess, Senior Engineering Technician / Zoning Administrator
Telephone: (419) 592-4010 Fax: (419) 599-8393
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January 27, 2020

G & B Group
255 Co. Rd. R
Napoleon, Ohio 43545

Re: Notice of Violation

Enterprise Industrial Park, LLC,

In order to stay in compliance with the City of Napoleon's Master Plan, and at the request of City Council, it has been brought to my attention that the use signs in Napoleon, Ohio is not in compliance with City of Napoleon Sign Code.

Conditions Being Violated:

1. Chapter 1335.07

1105.02 (f) (1) Violations

1. No person shall recklessly violate any provision of this Planning and Zoning Code or any condition or restriction contained in a conditional use permit.

1147.99 Penalties

Persons Violating. Any person found violating Section 1105.2 (f) (1) or (2) of this Planning and Zoning Code shall be deemed guilty of an unclassified misdemeanor punishable by a fine not to exceed \$1,000.00 for each violation. Each day a violation continues shall constitute a separate offense.

1105.02 (f) (5) Remedies

In addition to any penalty found in Section 1147.99, the Council, Zoning Administrator, or agent thereof, or other aggrieved person may, to the extent permitted by law, institute an action for an injunction, mandamus, or other legal proceeding to prevent a violation of this Planning and Zoning Code, and to abate any illegal condition, or to cause the removal of any illegal changes or alterations by appropriate legal means.

The Zoning Administrator may institute a suit for mandatory injunction directing a person to remove a structure erected in violation of the provisions of this Planning and Zoning Code, or to make the same comply with its terms. If said suit filed on behalf of the City is successful, the respondent shall, to the extent not otherwise prohibited by law, bear the costs of the action, including reasonable attorney fees

1105.02 (f) (4) Nuisances

Any buildings erected, raised, or converted, or land or premises used in violation of any provision of this Planning and Zoning Code, is declared to be a nuisance, and the owner thereof shall be liable for maintaining a nuisance, which may be restrained or enjoined or abated by appropriate action or proceeding

503.06 (A) Nuisances Prohibited: Habitation deemed unclean; Agricultural Exception

Prohibition Against Nuisance in General: Except as provided in division (o) of this Section, no owner or person shall create any nuisance in the City, and no owner or person shall by inaction permit a nuisance to occur or continue on any property owned or under such person's control, nor shall any owner or person permit a nuisance to occur involving any personal property owned or under such person's control.

503.99 Penalty

- (a) Whoever violates divisions (b), (c) or (d) of Section 503.06 is guilty of a misdemeanor of the third degree. A separate offense shall be deemed committed each day during or on which a violation continues or occurs.
- (b) Whoever violates division (g) or (m) of Section 503.06 is guilty of a minor misdemeanor. A separate offense shall be deemed committed each day during or on which a violation continues or occurs.
- (c) Whoever violates division (h) of Section 503.06 is guilty of a minor misdemeanor.
- (d) Whoever violates division (i) of Section 503.06 shall be guilty of a misdemeanor of the fourth degree. A separate offense shall be deemed committed each day during or on which a violation continues or occurs.
- (e) Whoever is guilty of contempt under Section 503.15 is guilty of a misdemeanor of the first degree.
- (f) Notwithstanding Section 101.99 of the City of Napoleon Codified Ordinances, whenever, under this chapter, any act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or whenever the doing of any act is required or the failure to do any act is declared to be unlawful, where no specific penalty is otherwise provided, whoever violates any such provision shall be punished by a fine not exceeding one thousand dollars (\$1,000.00), a term of imprisonment not exceeding six (6) months, or both. A separate offense shall be deemed committed each day during or on which a violation continues or occurs.

Upon receipt of this notice, you are required to:

1. Abate the violation(s) or provide acceptable remedies. ·
2. Reply in writing to this Notice of Violation within fourteen (14) calendar days. The reply shall include:
 - a. Description(s) and date(s) of action(s) taken to abate the violation.
 - b. Description(s) and expeditious time schedules of action(s) yet to be taken to abate the violation(s).

Your written response, and any questions regarding this Notice of Violation, should be directed to my office at 255 W. Riverview Ave., Napoleon, Ohio 43545, phone: (419) 592-4010.

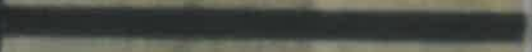
Yours truly,

A handwritten signature in blue ink that reads "Mark B. Spiess". The signature is written in a cursive style.

Mark B. Spiess
Sr. Eng. Tech / Zoning Administrator
City of Napoleon, Ohio

cc: Joel L. Mazur, City Manger
Chad E. Lulfs, P.E., P.S., Director Of Public Works
Billy Harmon, City Law Director
Chief David J. Mack, Chief of Police
Kevin Schultheis, Code Enforcement Officer


EMPLOYEES
ONLY



1335.07 PERMITS REQUIRED.

Unless otherwise provided for in this Sign Code, all signs shall require permits and payment of fees as described in this Code. No permit is required for the maintenance of a sign or for a change of copy on painted, printed, or changeable copy signs.

(Ord. 72-96. Passed 7-1-96.)