

# RECORD OF LEGISLATION

No. 06-30-2026

Passed 6-16, 20 26

**AN ORDINANCE ENACTING SECTION 501.17 OF THE CITY OF CIRCLEVILLE'S CODIFIED ORDINANCES TO IMPLEMENT A CIVIL PROCEDURE AND ADMINISTRATIVE CITATIONS FOR DE MINIMIS VIOLATIONS OF THE CODE; AND AMENDING PORTIONS OF PARTS THREE, FIVE, ELEVEN, AND THIRTEEN OF THE CODE TO UTILIZE THE NEWLY ENACTED SECTION 501.17; AND REPEALING PART FIVE, CHAPTER 557, SECTIONS 557.03, 557.04, AND 557.05 OF THE CODE AND DECLARING AN EMERGENCY.**

**WHEREAS**, the Council of the City of Circleville, Ohio finds that it is desirable to establish more efficient procedures for handling de minimis violations of the City's Codified Ordinances; and

**WHEREAS**, the enactment of a new provision and amendment/repealing of existing provisions is necessary to clarify procedures for violations of several provisions of the City's Codified Ordinances; and

**WHEREAS**, these changes to the City's Codified Ordinances are deemed necessary in order to provide for the immediate preservation of the public peace, property, health, and safety of the City of Circleville, Ohio, and its citizens, and to provide for the efficient operation of the Municipal Departments of the City of Circleville, Ohio.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CIRCLEVILLE, PICKAWAY COUNTY, OHIO, AS FOLLOWS:**

**SECTION I.** That a new Section 501.17 (Civil Penalties/Administrative Tickets) be established in Part Five (General Offenses Code), Chapter 501 (General Provisions and Penalty) of the City of Circleville's Codified Ordinances and Read as follows:

**501.17 CIVIL PENALTIES/ADMINISTRATIVE TICKETS.**

- (A) Scope: This section of the Codified Ordinances covers de minimis violations of the certain city codes as listed in section 501.17(D), such a violation has no direct or immediate relationship to safety or health, the Code Official is authorized to prepare a written Administrative Citation for a de minimis violation describing the conditions deemed unsafe and, when compliance is not immediate, specifying a time for re-inspection.
- (B) Intent: The intent of the Administrative Citation process is to add steps short of a criminal prosecution that allows a violator to pay a fine without going to court.
- (C) Process:
- (1) De Minimis Violations
    - a) Issue Administrative Citation to the responsible party.
      - i) Contents of Citation
        - i. The date the citation is served;
        - ii. A statement describing the violation and citing the section of the City's Codified Ordinances that the responsible party is violating;
        - iii. The description and location of the lot or land within the City where such violation exists;
        - iv. A statement listing the fine amount for the violation.
        - v. A statement that the violation must be abated by a date to be determined by the Code Enforcement Officer and order of the same;
        - vi. A statement that in the event that the violation is not abated by the date determined by the Code Enforcement Officer, an escalating Citation will be issued, and in the event of continued noncompliance the City may cause the violation to be abated and the costs incurred by the City in such abatement will be assessed to the responsible party; and
        - vii. A statement that the violator has the right to appeal the Citation to the Code Enforcement officer in writing within fourteen (14) calendar days of the date of service through the appeal procedure defined in Section 501.17(C)(1)(g).

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- b) Service of Citation.
  - i) Service of Citation shall occur by one of the following methods:
    - a. Serve in person; or
    - b. Post on structure, property, or vehicle and by 1<sup>st</sup> class mail last known address of the responsible party.
- c) Assessing fines.
  - i) If the responsible party has not filed an appeal within fourteen (14) calendar days of the date of service, the fine shall be assessed by one of the following ways:
    - i. Fine placed on the utility bill; or
    - ii. Invoice for the fine sent directly to the responsible party.
- d) Citation paid and violation corrected.
  - i) Close Case
- e) Violations not corrected or repeated within 18 months.
  - i) Shall receive a 2<sup>nd</sup> Offense Administrative Citation;
  - ii) Shall receive a 3<sup>rd</sup> Offense Administrative Citation;
  - iii) Shall receive a 4<sup>th</sup> Offense Administrative Citation; or
  - iv) Shall receive a 5<sup>th</sup> Offense Administrative Citation or escalating criminal charges.
  - v) If deemed necessary by the Code Enforcement Officer, as a result of the responsible party failing to comply with the Administrative Citation, the City shall cause the violation to be abated. Then, the Code Enforcement Officer shall assess the costs of abatement, including the costs of investigation, handling of the complaint, and the costs of service and notification, to the responsible party by one of methods in Section 501.17(C)(1)(c)
- f) Unpaid Fines.
  - i) If fines are left unpaid after six (6) months, the Code Enforcement Officer shall report the fines to Council, including the costs of abatement, investigation, handling of the de minimis violation, and the costs of service and notification, and, thereafter, upon approval of Council, the Clerk of Council shall cause a written return to be made to the County Auditor with a statement of such costs together with a description of the premises concerned. This written return shall be in the form as prescribed under the provisions of the Ohio Revised Code and the amounts, when allowed, shall be entered upon the tax duplicate so as to constitute a lien upon such lands from and after the date of entry, to be collected as other taxes and returned to the Municipality with the general fund upon collection.
- g) Appeals Process.
  - i) The violator has a right to appeal the ticket prior to the fine being placed on the violator's utility bill. To appeal, the violator must file a written request for an appeal with the Code Enforcement Officer, 104 East Franklin St. Circleville, OH 43113 either in person or by mail within fourteen (14) calendar days of receipt of the notice. If an appeal is not requested within fourteen (14) calendar days of receipt of the notice, the fine shall be placed on the violator's utility bill.
  - ii) Any person affected by any notice which has been issued in connection with the enforcement of any provision of this chapter, or of any rule or regulation adopted pursuant thereto, shall have the right to request and shall be granted a hearing on the matter before the Code Enforcement Appeals Board; provided that such person shall file, a written petition requesting such hearing and containing a statement of the grounds therefore within fourteen (14) calendar days after the day the notice was served.
  - iii) The Code Enforcement Appeals Board shall consist of the Director of Public Service, the Director of Public Safety, and the Director of Public Utilities, or their designee.
  - iv) The appeal will be heard by the Code Enforcement Appeals Board at

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regular times and location as posted in the City Administration Office.

- v) The Code Enforcement Appeals Board shall hear all appeals relative to the enforcement of this chapter, and shall reverse or affirm wholly or partly, or modify, the decision appealed from and shall make such order or determination as in its opinion ought to be made. Failure to secure such decision shall be deemed a confirmation of the decision of the Code Enforcement Officer.
- vi) If the violator fails to appear at the appeal hearing the fine will be placed on the violator's utility bill.
- vii) The violator has a right to appeal the Code Enforcement Appeals Board decision to the fine being placed on the violator's utility bill. To appeal, the violator must file a written request for an appeal with the Code Enforcement Officer, 104 E Franklin St. Circleville, OH 43113, either in person or by mail within seven (7) calendar days of the Code Enforcement Appeals Board decision. If an appeal is not requested within seven (7) calendar days of the Code Enforcement Appeals Board decision, the fine shall be placed on the violator's utility bill.
- viii) Any person who wishes to appeal the Code Enforcement Appeals Board decision shall receive a minor misdemeanor citation into court, providing notice and an opportunity to be heard, which shall serve as an appeals process. Any offender who persists in such violation after reasonable warning or request to desist by a member of the City of Circleville Code Enforcement or after receiving an administrative citation shall be guilty of a misdemeanor of the fourth degree. Any subsequent offense within six months of the second offense shall be punishable as a misdemeanor of the first degree.

**(D) Fine Schedule for Administrative Citation.**

<b>CITY OF CIRCLEVILLE FINES - DE MINIMIS VIOLATIONS</b>	
<b>APPLICABLE CHAPTERS</b>	
Chapter 303: Enforcement, Impounding & Penalty	
Chapter 505: Animals	
Chapter 557: Weeds and Litter; Trees and Shrubs	
Part 11: Zoning Code	
Chapter 1335: International Property Maintenance Code	
<b>OFFENSE</b>	<b>FINE PER CITATION</b>
1 <sup>st</sup> Offense	\$50.00
2 <sup>nd</sup> Offense	\$100.00
3 <sup>rd</sup> Offense	\$175.00
4 <sup>th</sup> Offense	\$200.00
5 <sup>th</sup> Offense	\$225.00
6 <sup>th</sup> Offense	4 <sup>th</sup> degree misdemeanor
7 <sup>th</sup> Offense	3 <sup>rd</sup> degree misdemeanor
8 <sup>th</sup> Offense	2 <sup>nd</sup> degree misdemeanor
9 <sup>th</sup> Offense	1 <sup>st</sup> degree misdemeanor
<p>The Administrative Citation shall state:</p> <p>The violator has a right to appeal the ticket prior to the fine being placed on the violator's utility bill. To appeal, the violator must file a written request for an appeal with the Code Enforcement Officer, 104 East Franklin St. Circleville, OH 43113 either in person or by mail within fourteen (14) calendar days of receipt of the notice. If an appeal is not requested within fourteen (14) calendar days of receipt of the notice, the fine shall be placed on the violator's utility bill.</p>	

**(E) Subsequent Offenses.**

- (1) Any person who violates any code listed in Section 501.17(D) and received an Administrative Citation in lieu of a misdemeanor and repeats the same offense

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within 18 months of the prior offense is guilty of a misdemeanor of the fourth degree.

- (2) If, within 18 months of the offense, the offender previously has been convicted of or pleaded guilty to a misdemeanor of the fourth degree, whoever violates this section is guilty of a misdemeanor of the third degree.
- (3) If, within 18 months of the offense, the offender previously has been convicted of or pleaded guilty to a misdemeanor of the third degree, whoever violates this section is guilty of a misdemeanor of the second degree.
- (4) If, within 18 months of the offense, the offender previously has been convicted of or pleaded guilty to a misdemeanor of the second degree, whoever violates this section is guilty of a misdemeanor of the first degree.

**SECTION II.** Part Three (Traffic Code), Title One (Administration), Chapter 303 (Enforcement, Impounding and Penalty), Section 303.09(d) (Leaving junk and other vehicles on private or public property without permission or notification) of the Codified Ordinances of the City of Circleville, is hereby amended as follows:

**303.09 LEAVING JUNK AND OTHER VEHICLES ON PRIVATE OR PUBLIC PROPERTY WITHOUT PERMISSION OR NOTIFICATION.**

- (d) Whoever violates this section is subject to civil proceedings and administrative citations consistent with Section 501.17 of the Codified Ordinances of the City of Circleville. Anyone who violates this section shall also be assessed any costs incurred by the Municipality in disposing of such junk or abandoned motor vehicle, less any money accruing to the Municipality from such disposal.

**SECTION III.** Part Three (Traffic Code), Title One (Administration), Chapter 303 (Enforcement, Impounding and Penalty), Section 303.10(j) (Leaving junk and other vehicles on private or public property with the permission of the owner) of the Codified Ordinances of the City of Circleville, is hereby amended as follows:

**303.10 LEAVING JUNK AND OTHER VEHICLES ON PRIVATE OR PUBLIC PROPERTY WITH THE PERMISSION OF THE OWNER.**

- (j) Whoever violates this section is subject to civil proceedings and administrative citations consistent with Section 501.17 of the Codified Ordinances of the City of Circleville. Anyone who violates this section shall also be assessed any costs incurred by the Municipality in disposing of such junk or abandoned motor vehicle, less any money accruing to the Municipality from such disposal.

**SECTION IV.** Part Five (General Offenses Code), Chapter 505 (Animals and Fowl), Section 505.15(d) (Proximity of animals to dwelling; stockyards) of the Codified Ordinances of the City of Circleville, is hereby amended as follows:

**SECTION 505.15: PROXIMITY OF ANIMALS TO DWELLING; STOCKYARDS.**

- (d) Whoever violates any of the provisions of this section is guilty of a minor misdemeanor subject to civil proceedings and administrative citations consistent with Section 501.17 of the Codified Ordinances of the City of Circleville.

**SECTION V.** Part Five (General Offenses Code), Chapter 505 (Animals and Fowl), Section 505.99 (Penalty) of the Codified Ordinances of the City of Circleville, is hereby amended as follows:

**505.99 PENALTY.**

Whoever violates any of the provisions of this section, for which no other penalty has been provided, is subject to civil proceedings and administrative citations consistent with Section 501.17 of the Codified Ordinances of the City of Circleville.

**SECTION VI.** Part Five (General Offenses Code), Chapter 557 (Weeds and Litter; Trees and Shrubs), Sections 557.03 (Notice to Abate), 557.04 (Remedy upon failure to comply), and

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557.05 (Written return to County Auditor; city costs entered as lien upon property) of the Codified Ordinances of the City of Circleville, are hereby repealed in their entirety and shall be of no further force or effect.

**SECTION VII.** Part Five (General Offenses Code), Chapter 557 (Weeds and Litter; Trees and Shrubs), Section 557.99 (Penalty) of the Codified Ordinances of the City of Circleville, is hereby amended as follows:

**557.99 PENALTY.**

Whoever violates any provision of Sections 557.01, 557.02 or 557.07 shall be subject to civil proceedings and administrative citations consistent with Section 501.17 of the Codified Ordinances of the City of Circleville.

**SECTION VIII.** Part Eleven (Planning and Zoning Code), Title Three (Administration and Enforcement), Chapter 1113 (Applications), Section 1113.10(m) (Certificate of Appropriateness) of the Codified Ordinances of the City of Circleville, is hereby amended as follows:

**1113.10 CERTIFICATE OF APPROPRIATENESS.**

(m) Penalty. Whoever constructs, reconstructs, alters, or modifies any exterior architectural or environmental feature now or hereafter within the Historic District in violation of Section 1113.10, shall be deemed to be liable for a violation of this Code, subject to the civil proceedings and administrative fines consistent with Section 501.17 of the Codified Ordinances of the City of Circleville.

**SECTION IX.** Part Eleven (Planning and Zoning Code), Title Three (Administration and Enforcement), Chapter 1115 (Fees and Violations), Section 1115.01 (Violations) of the Codified Ordinances of the City of Circleville, is hereby amended as follows:

**1115.01 VIOLATIONS.**

- (a) Failure to Obtain a Zoning Permit or Certificate of Zoning Compliance. Failure to obtain a Zoning Permit or Certificate of Zoning Compliance, prior to the commencement of the construction, alteration, or use for which the permit or certificate is required, shall be a violation of this Zoning Code and punishable through the civil proceedings and administrative citations consistent with Section 501.17 of the Codified Ordinances of the City of Circleville.
- (b) Construction and Use to be as Provided in Application, Plans, Permits, Certificates. Zoning Permits or Certificates of Zoning Compliance issued on the basis of plans and applications approved by the Zoning Inspector authorize only the use and arrangement set forth in such approved plans and applications or amendments thereto, and no other use, arrangement, or construction shall be permitted. Use, arrangement, or construction at variance with that authorized shall be deemed a violation of this Ordinance and punishable through the civil proceedings and administrative citations consistent with Section 501.17 of the Codified Ordinances of the City of Circleville.
- (c) Complaints Regarding Violations. Whenever a violation of this Zoning Code occurs, or is alleged to have occurred, any person may file a written complaint. Such complaint stating fully the causes and basis thereof shall be filed with the Zoning Inspector. The Zoning Inspector shall record properly such complaint, immediately investigate, and take such appropriate action thereon as may be necessary and as provided by this Zoning Ordinance.
- (d) Entry and Inspection of Property. The Zoning Inspector, or designee, is authorized to make inspections of properties and structures in order to examine and survey the same, at any reasonable hour, for the purpose of enforcing the provisions of this Zoning Code. Prior to seeking entry to any property or structure for such examination or survey, the Zoning Inspector shall attempt to obtain the permission of the Owner or occupant to inspect. If such permission is denied or cannot be obtained, the Zoning Inspector shall request the assistance of the City Police Department when the matter is an immediate hazard to life safety. Nothing in this section limits the

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ability of the Zoning Inspector to work with the Law Director to secure a valid search warrant prior to entry.

- (e) Zoning Permit Revocation. The Zoning Inspector may issue a revocation notice to revoke a permit which was issued contrary to this Zoning Code or based upon false information or misrepresentation in the application.
- (f) Land Use Infractions (Ticket).
- (1) Any Land Use Infraction (ticket) may be issued by a Law Enforcement Officer for any violations of Sections 1145.07 (Signs), 1145.11 (Food Trucks/Trailers/Food Push Carts/Food Tents; 1145.04(a)(10) and 1145.04(a)(13) Recreational Vehicles. Nothing in this section precludes the enforcement of any violation in any other manner provided by law as long as no ticket is issued under this section.
- (2) Per Ohio R.C. Section 765.02(B), the ticket issued for such violations shall contain two (2) parts. The first part of the ticket shall identify the land use infraction charged and indicate the date, time, and place of the infraction. The officer shall sign the ticket and affirm the facts it contains.
- (3) If the offender is present, the officer also shall record on the ticket the name of the offender in a space provided on the ticket for identification of the offender and then shall serve the first part of the ticket in accordance with the service requirements of Ohio R.C. Section 765. If the infraction is not corrected within the time period specified on the first part of the ticket, the law enforcement officer shall serve the second part of the ticket.
- (4) The first violation shall include a fine of one hundred fifty dollars (\$150.00). Each additional violation of the same code section within a period of one calendar year shall follow this escalating scale:
- A. Second Offense - \$250.00  
B. Third Offense - \$500.00  
C. Fourth Offense - \$750.00  
D. Each additional offense - \$1,000.00
- This section shall be administered utilizing the process outlined in Chapter 357 of the Circleville Codified Ordinances.
- (g) Enforcement of Violation. Any Violation of any Section of this Code may also be enforced utilizing the following procedures:
- (1) Stop Work Order. Subsequent to his or her determination that work is being done contrary to this Zoning Ordinance, the Zoning Inspector shall write a stop work order and post it on the premises involved. Removal of a stop work order, except by the order of the Zoning Inspector, shall constitute a punishable violation of this Zoning Ordinance.
- (2) Whenever the Zoning Inspector or his or her agent determines that there is a violation of any provision of this Zoning Ordinance, enforcement shall proceed pursuant to civil proceedings consistent with Section 501.17 of the Codified Ordinances of the City of Circleville.
- (h) Additional Remedies. Nothing in this Zoning Ordinance shall be deemed to abolish, impair, or prevent other additional remedies as provided by law, including but not limited to civil procedures. In the event of a violation of any provision or requirement of this Zoning Ordinance, or in the case of an imminent threat of such a violation, the Zoning Inspector, the Law Director, or the Owner of any neighboring property who would be especially damaged by such violation, may, in addition to other recourses provided by law, institute mandamus, injunction, abatement, or other appropriate actions to prevent, remove, abate, enjoin, or terminate such violation.

**SECTION X.** Part Thirteen (Building Code), Title Five (Zoning Districts), Chapter 1335 (International Property Maintenance Code), Section 1335.99(d) (Violations and penalties) of the Codified Ordinances of the City of Circleville, is hereby amended as follows:

**1335.99 VIOLATIONS AND PENALTIES.**

- (d) Penalty. Any person, firm or corporation that violates or fails to comply with any of the provisions of this chapter or of the International Property Maintenance Code for which no other penalty has been provided, or fails to comply with any order or regulation made thereunder, or builds in violation of a building permit or certificate

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issued thereunder, or occupies a structure without the required certificate of occupancy, is liable for administrative fines and subject to the civil proceedings consistent with Section 501.17 of the Codified Ordinances of the City of Circleville.

**SECTION XI.** That all remaining provisions of Sections 303.09, 303.10, 505.15, 1113.10, and 1335.99 of the Codified Ordinances of the City of Circleville not otherwise modified by this ordinance shall remain unchanged and in full force and effect.

**SECTION XII.** If any section, phrase, sentence, or portion of this Ordinance are for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

**SECTION XIII.** That is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees which resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

**SECTION XIV.** This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the citizens of the City of Circleville, by reason of the necessity to establish these new civil procedures and administrative citations to provide more efficient procedures for handling de minimis violations of the City's Codified Ordinances, wherefore this ordinance shall be in full force and effective immediately upon its passage.

PASSED: 6-16-2026  
DATE

Barry J. Kelle  
PRESIDENT OF COUNCIL

ATTEST: Mick J. [Signature]  
CLERK OF COUNCIL

APPROVED: 6-16-2026  
DATE

Wendell Y. Blanton  
MAYOR

APPROVED AS FORM:

[Signature]  
KENDRA C. KINNEY - LAW DIRECTOR

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