

Presentation by Susan Hyatt of the ordinance and its language and meaning began and 6:340 and was started again due to persons following the One Call (incorrect) time. Susan stressed the use of the term unfit and then attempted to explain unfit in objective terms. Then the floor was opened for suggestions, comments, and request of solutions to those identified problems. Several residents spoke, a few of them with complaints of experiences they have had and others of the dissatisfaction of their interpretation of the implied power over them regarding maintenance of their homes. Many explained their dissatisfaction as to one person or designated person(s) making decisions on personal property and showed they were offended that officials would have massive power over the definition of what constituted a violation. Some became very defensive and raised their voices where others quietly listened and spoke individually to the presenter and others in the room once the presentation was finished.

My personal notes specify what I heard from what was said. Strong dissent. Growing and Powerful Resistance.

FOCUS ON A PUBLIC SOLUTION

Some valuable resolutions were made and are shared in this Forum Minutes document.

Tom Farrell, former Wayne Lakes mayor stressed in the meeting the importance of the government listening to the people. He emphasized this issue. The people need to be heard. He later stated to me after he had taken a bicycle ride throughout the village; "It appears to me that the major problems are in registered inoperable vehicles and trailers, trash and debris in yards and grass, weed and other vegetation. Keep the new legislation concise and to the point, not 9 pages. If possible, make as much measurable or observable and not subject to opinion. Encourage compliance because enforcement in the courts is a challenge for a village our size. Also, remind everyone that these changes are a direct result of the council listening to the citizens." My observations, for what it's worth.... Then he made another statement that the "village administrator should be the contact of violators," with patience and tact.

The following is a summary of the commentary and proposed solution and was prepared by one of the attendees (Leslie Hanish Gunkle with 30 years as paralegal) following conversations with other attendees and then meeting with Susan at the office on Saturday, September 12th at 4 PM

Plain-English Review: Key Concerns, Why They May Not Work Well, and Suggested Improvements

Ordinance No. 2026-05-18-013 | Village of Wayne Lakes, Ohio

Purpose of this review. This review does not argue that Wayne Lakes should eliminate property maintenance standards. The ordinance has a legitimate purpose: protecting health, safety, property values, and the appearance of the Village.

The concern is that several provisions are broad or subjective, while the consequences of enforcement can be significant.

The recommendations below focus on making the ordinance clearer, more objective, more consistent, and easier for both residents and Village officials to follow.

KEY ISSUE: The ordinance gives the Village significant enforcement power, but several standards that trigger that power depend on judgment rather than clearly defined, measurable criteria.

Current Ordinance: Key Problems and Suggested Improvements

Ordinance Area	Why It May Not Work Well	Suggested Improvement
Purpose and scope	The goals are reasonable, but phrases such as “obvious visual problems” and “incipient blighting conditions” are not measurable.	Keep the purpose, but define the physical conditions that actually constitute a violation.
Nuisance / blight definition	Terms such as “offensive to the senses” can vary from person to person.	Use observable examples: accumulated refuse, contaminated standing water, unstable structures, exposed sharp materials, blocked drainage, etc.
Mayor-centered enforcement	The ordinance places enforcement of all provisions with the Mayor and allows the Mayor to designate others. This can concentrate investigation, interpretation, and initial enforcement in one office.	Keep lawful executive authority, but require a written enforcement policy, objective checklist, documentation standards, and consistent procedures.
Inspections “from time to time”	The ordinance does not clearly explain what triggers an inspection, how often inspections occur, or what must be documented.	Define complaint-driven and routine inspection criteria, permitted observation areas, checklist requirements, photographs, date/time, and the specific code section reviewed.
“Good repair,” “safe,” “clean,” “sanitary”	These are understandable goals but do not always tell a homeowner when ordinary wear becomes a violation.	Add definitions, examples, and measurable thresholds where practical.
25% deterioration threshold	A percentage sounds objective, but there is no stated method for determining the percentage. Different observers may reach different conclusions.	Define the measurement method and require photos or measurements when the 25% threshold is used.
Color / texture / design compatibility	These provisions may regulate aesthetics in addition to safety and maintenance.	Council should decide whether aesthetic conformity is necessary and, if retained, define “compatible” and “similar.”
Seven-day outdoor item rule	A rigid seven-day period may not account for moving, construction, contractor delays, insurance claims, illness, or weather.	Define reasonable exceptions and a consistent process for extensions.

"In the opinion of the Mayor" language	This is one of the strongest sources of perceived vagueness because the violation can depend on individual judgment.	Replace with language requiring observable conditions, written findings, and objective ordinance standards.
Ground hazards	The ordinance may prohibit cracks, holes,	Use factors such as size, depth, instability,
Ordinance Area	Why It May Not Work Well	Suggested Improvement
	excavations, projections, or obstructions when judged hazardous without defining the threshold.	accessibility, and documented injury risk.
Garbage can placement	An absolute prohibition on front-yard storage may not fit every property layout.	Consider screening requirements or limited exceptions when rear/side storage is impractical.
Inoperable / unlicensed vehicles	The rules may capture legitimate repairs or temporary mechanical problems.	Add clearly defined exceptions for active repair, enclosed storage, insurance claims, estates, or documented parts delays.
Correction deadlines	A "reasonable period" of no more than 30 days may not fit major repairs, and 72 hours for vehicle matters may be too short in some cases.	Create severity-based timelines: routine maintenance, significant violation, immediate hazard, and vehicle-specific rules.
Appeal window	Seven days to request Council review can pass quickly for residents seeking estimates, legal advice, or dealing with health/travel issues.	Consider a longer review period if legally permissible and place appeal instructions prominently in every formal notice.
Serious consequences	Final orders can lead to criminal penalties, abatement costs, administrative fees, and liens.	Because consequences are significant, strengthen the front-end process: documentation, notice, cooperation, extensions, reinspection, and clear appeal rights.

Why the Current Enforcement Sequence Can Feel Too Abrupt

The ordinance moves quickly from a violation being found to a formal Notice of Violation, correction period, final order, and potentially misdemeanor or abatement consequences. For ordinary, non-emergency conditions, a more cooperative sequence would better support voluntary compliance.

- Observation or complaint is documented.
- Village verifies the condition against a specific ordinance section.
- First Courtesy Notice: explain the concern, request correction, invite questions, and ask residents to disclose special circumstances.
- Second Courtesy Notice / Response Requested: remind the owner, ask for contact even if the work cannot yet be completed, and document good-faith efforts.
- Formal Notice of Violation: identify the exact ordinance provision, facts observed, correction deadline, appeal rights, and next steps.
- Reinspection: confirm whether the condition remains.
- Appeal / resolution opportunity.

- Enforcement only if the violation remains unresolved, except for genuine emergencies where quicker action is legally authorized.

Important Procedural Improvements

- Base enforcement on observable facts rather than conclusions alone.
- Require the exact ordinance section on every notice.
- Require photographs or other supporting documentation when practical.
- Use consistent inspection checklists and written criteria throughout the Village.
- Define special-circumstance and extension standards so they are available equally to all residents.
- Distinguish routine maintenance from significant violations and immediate safety hazards.
- Provide clear, prominent appeal instructions in every formal notice.
- Document all communications and good-faith efforts to work with the property owner.
- Review enforcement outcomes periodically for consistency across similar properties.

What Should Be Kept and Strengthened

- The Village should continue to have reasonable exterior property-maintenance standards.
- Genuine health and safety hazards should remain enforceable.
- Council review of enforcement decisions is an important safeguard and should be made easier to understand and use.
- The ordinance already recognizes hardship in some circumstances; that flexibility should be moved earlier in the process so residents do not have to reach the appeal stage before hardship is considered.
- Enforcement should remain possible when voluntary compliance efforts fail.

My recommendations are to create a compliance committee specifically for ordinances in which this would be their initial project. This committee would be comprised of five community members and preferably two council members. This seems very similar to Five Year Group/Committee putting them in an active role with specific duties and means to share for administrative approval

Suggested Committee Review Method

For each provision, the Ordinance Review Committee could use four questions:

- Keep it as written?
- Clarify or define it?
- Add a reasonable exception?
- Replace subjective discretion with an objective standard or documented procedure?

Recommended guiding principle: Keep the protections residents want, but make violations objective, inspections documented, notices cooperative and specific, appeal rights clear, and formal enforcement a later step for ordinary non-emergency matters.

Legal Review Note

Before Wayne Lakes amends, replaces, or adopts new enforcement standards, Village Council should have the Village Solicitor or another qualified Ohio municipal attorney review the proposed language. This review is intended as policy analysis and drafting guidance, not a legal opinion.

Source

Village of Wayne Lakes Ordinance No. 2026-05-18-013, Exterior Property Maintenance Code, passed May 18, 2026. Village ordinance index and ordinance PDF reviewed in September 2026.

Much effort was taken to do so and specifically how to operate doing so. I have a complete document to specifically outline how the committee will work and an approach to potential enforcement. Residents willing to participate will make their interest and abilities known at a community forum and those who attend can choose representation from the group, preferably 5 people chosen by the people to serve on the Compliance Committee specifically focusing on Ordinance Review.

Existing members of Finance would keep their focus on the budget and personnel while can focus on procedures and compliance.