

RESOLUTION NO. 2017-22
INTRODUCED BY: ADMINISTRATION

A RESOLUTION DECLARING THE REAL PROPERTY KNOWN AS CUYAHOGA COUNTY PERMANENT PARCEL NO. 714-03-056, 1548 BILTMORE ROAD, TO BE A NUISANCE, AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR THE WORK NECESSARY TO ABATE THE NUISANCE, AND DECLARING AN EMERGENCY

WHEREAS, the City Building Commissioner has determined that the real property known as Cuyahoga County Permanent Parcel No. 714-03-056, and also known as 1548 Biltmore Road, Lyndhurst, Ohio, is in such disrepair that it constitutes a nuisance; and

WHEREAS, the City Building Commissioner has served a three (3) day notice, in accordance with Section 1355.09(b) of the Codified Ordinances, upon the owner, occupant, agent or operator to terminate the nuisance; and

WHEREAS, the owner, occupant, agent or operator has failed and neglected to comply with the notice to abate the nuisance; and

WHEREAS, Section 1355.09(c) of the Codified Ordinances provides authority to the Mayor or Building Commissioner to enter into a contract for the work necessary to abate the nuisance. Now, therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LYNDHURST, CUYAHOGA COUNTY, STATE OF OHIO, THAT:

SECTION 1. This Council determines the real property known as Cuyahoga County Permanent Parcel No. 714-03-056, and also known as 1548 Biltmore Road, Lyndhurst, Ohio, is in such a state of disrepair that it is declared to be a nuisance.

SECTION 2. This Council determines that the Building Commissioner has served a three day notice upon the owner, occupant, agent, or operator to abate that nuisance, and said owner, occupant, agent, or operator has failed and neglected to comply with said notice.

SECTION 3. This Council hereby authorizes and directs the Mayor to enter into a contract for the work necessary to abate the nuisance.

SECTION 4. The cost of said work shall not exceed Ten Thousand Dollars (\$10,000.00) without further action by this Council.

SECTION 5. This Council further authorizes the Building Commissioner to invoice the owner of the premises for the costs of such nuisance abatement.

SECTION 6. This Council determines that if the costs of nuisance abatement are not paid within thirty (30) days of the date of the invoice, then the costs of nuisance abatement shall become a lien on the property, and shall be certified to the County Fiscal Officer and collected in the manner provided by law for assessments.

SECTION 7. Council finds and determines that all formal actions of this Council relating to the adoption of this Ordinance have been taken at open meetings of this Council; and that deliberations of this Council and of its committees, resulting in such formal action, took place in meetings open to the public, in compliance with all statutory requirements including the requirements of Section 121.22 of the Ohio Revised Code.

SECTION 8. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, welfare and safety of the City of Lyndhurst and its residents. Therefore this Ordinance shall take effect immediately upon the affirmative vote of not less than five (5) members elected to Council, and signature by the Mayor, or otherwise at the earliest time allowed by law.

PASSED: April 3, 2017

MAYOR

VICE MAYOR

ATTEST: _____
Clerk of Council

I, the undersigned Clerk of Council of the City of Lyndhurst, hereby certify that there is no newspaper published or having an office of publication in said City, and that I published the foregoing Ordinance by advertising the same by title on one day in each of two consecutive weeks in a newspaper of general circulation in said City, on April 13, 2017 and April 20, 2017.

Clerk of Council

First Reading: April 3, 2017

Second Reading: Suspended

Third Reading: Suspended

Passed 4-3-2017