

RESOLUTION NO.: 106 -2016
INTRODUCED BY: Kumin

A RESOLUTION DECLARING A CONDITION AT THE PROPERTY KNOWN AS 25311 CHARDON ROAD, PERMANENT PARCEL NUMBER 661-03-032, IN THE CITY OF RICHMOND HEIGHTS, A PUBLIC NUISANCE, DIRECTING THE DIRECTOR OF LAW AND THE COMMISSIONER OF BUILDING TO TAKE ALL LEGAL ACTION NECESSARY TO ABATE THIS NUISANCE, AND DECLARING AN EMERGENCY.

WHEREAS, Section 1309.05, “General Requirements,” of the Codified Ordinances of the City of Richmond Heights provides that “[T]he owner of the premises shall maintain the structures and exterior property in compliance with these requirements, except as otherwise provided for in this code” and that “[A]ll exterior property and premises shall be maintained in a clean, safe and sanitary condition.”;

WHEREAS, the City’s Division of Building, Zoning and Housing inspected the property known as 25311 Chardon Road, Permanent Parcel Number 661-03-032, (hereinafter the “Property”), and observed that the exterior of the Property had on it multiple items such that a salvage yard is being run out of the Property and is in violation of Section 1309.05; and

WHEREAS, on or about September 22, 2016, September 23, 2016, and September 26, 2016, the Building Commissioner filed complaints with the Lyndhurst Municipal Court citing the owner of the Property for violations of Section 1309.05, “General Requirements”; and

WHEREAS, in the opinion of the Building Commissioner the Code violations existing at the Property renders it a public nuisance adversely affecting the public health, safety and general welfare; and

WHEREAS, upon the recommendation of the Building Commissioner, Council has determined that the existing condition of the Property renders it a public nuisance that must be abated.

NOW, THEREFORE, Be It Resolved by the Council of the City of Richmond Heights, State of Ohio, that:

Section 1: The property known as 25311 Chardon Road, Permanent Parcel Number 661-03-032, (the “Property”), is hereby declared to be a public nuisance due to the fact that the Property is not being maintained in a clean, safe and sanitary condition, in violation of the Codified Ordinances of the City of Richmond Heights, specifically Section 1309.05, which adversely affects the public health, safety and general welfare.

Section 2: The Director of Law and the Building Commissioner of Building are directed to take all legal action necessary on behalf of the City to abate the aforesaid public nuisance.

Section 3: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that 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 4: This Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the City in that it is required to direct the Director of Law and the Building Commissioner of Building to abate a public nuisance existing within the City of Richmond Heights as soon as possible; and, therefore, it shall take effect and be in force immediately upon its passage and approval by the Mayor.

PASSED: _____

David H. Roche, Mayor

APPROVED: _____

ATTEST: _____

Betsy Traben
Clerk of Council

Eloise Cotton-Henry
President of Council