

ORDINANCE NO 2015-04

AN ORDINANCE AUTHORIZING CHARLES NEFF, MAYOR, OR HIS DESIGNEE TO ABATE PUBLIC NUISANCE AT 69 MADISON STREET; AUTHORIZING A PRIVATE CONTRACT FOR PAYMENT OF THE ABATEMENT OF NUISANCE; AND DIRECTING THE COLLECTING OF THE COST OF THE ABATEMENT OF NUISANCE FROM THE OWNER OF THE PROPERTY AND DECLARING AN EMERGENCY.

WHEREAS, Jay Myers, Village Building Inspector, pursuant to Codified Ordinance 1456.01 of the Village of Mount Sterling, has inspected the structure located at 69 Madison Street, and determined it to be such an advanced state of disrepair as to endanger the public health and dangerous to the citizens of the Village in violation of Codified Ordinance 1456.01, and;

WHEREAS, Jay Myers, Village Building Inspector notified the Village Attorney of his determination that the property was in an advanced state of disrepair. The Law Director caused a title search to be accomplished to ascertain who the Owners are as defined in the Codified Ordinance 1456.02, and; See Attached Title Search.

WHEREAS, the Law Director notified the Village Building Inspector of all Owners of record. The Village Building Inspector caused notice of violation of Codified Ordinance 1456.01 to be served by publication in the local newspaper, The Madison Messenger, on March 29 and April 5, 2015 to: Yvette Brown 69 Madison Street, Mt. Sterling, Ohio and the mortgage holder, National City Bank, 155 E. Broad Street, Columbus, Ohio 43215 and Unknown Owners, Heirs, Assigns, and Designees, 69 Madison Street, Mt. Sterling, Ohio 43143.

WHEREAS, Jay Myers, Village Building Inspector, caused a notice of Violation necessary to correct the violation of Codified Ordinance 1456.01 and served, personally, by certified mail, to: Yvette Brown, 69 Madison Street, Mt. Sterling, Ohio 43143, the owner(s) of the property located at 69 Madison Street, Mt. Sterling, Ohio received certified notice of violation but was returned unclaimed and the mortgage holder, National City Bank, 155 E. Broad Street, Columbus, Ohio 43215 received certified notice of violation on March 4, 2015 and Unknown Owners, Heirs, Assigns, and Designees, 69 Madison Street, Mt. Sterling, Ohio 43143 received certified notice of violation but was returned unclaimed.

WHEREAS, more than thirty (30) days has elapsed since the receipt of the notice by Yvette Brown, 69 Madison Street, Mt. Sterling, Ohio 43143, and any other parties who have or claim to have an interest in the above-described property by virtue of the records in the Madison County Recorder's Office with respect to said property and no appeal of the Building Inspector's determination that 69 Madison Street is a public nuisance has been filed,

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF MT. STERLING, MADISON COUNTY, OHIO AS FOLLOWS:

SECTION I.

That the Council of the Village of Mt. Sterling determines the structure located at 69 Madison Street in the Village of Mt. Sterling is a public nuisance by virtue of the advanced state of disrepair so as to endanger the health, safety and welfare of the residents of the Village by reason of its condition in violation of 1456 of the Codified Village Ordinances;

SECTION II.

That Charles Neff, Mayor, or his designee is directed to abate the nuisance by demolition and removal of the structure located at 69 Madison Street, Mt. Sterling, Ohio 43143.

SECTION III.

That the costs of abatement and removal of the nuisance, if done by private contract, be paid for from Village funds hereby specifically authorized in order to abate the nuisance.

SECTION IV.

That the owners, be billed directly by certified mail for the costs of the abatement and, if not paid immediately after receipt, the Clerk of Council is directed to certify the total cost of abatement to the Madison County Auditor for placement upon the tax duplicate and collected in the manner as real estate taxes by the statutes authorizing such collection.

SECTION V.

That the Building Inspector is directed to send a copy of this ordinance to Yvette Brown, 69 Madison Street, Mt. Sterling, Ohio 43143, the(s) of the property located at 69 Madison Street, Mt. Sterling, Ohio 43143.

SECTION VI.

That the Clerk of Council, pursuant to O.R.C. 731.24, shall cause to be published in a manner required by law, the Ordinance.

SECTION VII.

This Ordinance is hereby declared to be an emergency measure, the immediate passage of which is necessary for the public health, safety and welfare and for the further reason that is important to the immediate preservation of the public peace, the quiet enjoyment of property and family by the inhabitants of the Village of Mount Sterling and, wherefore, this Ordinance shall take effect and be in force immediately upon its passage and signature of the Mayor.

PASSED:

ATTEST:

BONNIE LIFF, CLERK OF COUNCIL

CHARLES NEFF, MAYOR

APPROVED AS TO FORM:

MARK J PITSTICK, LAW DIRECTOR

I, Bonnie Liff, the Clerk of Council, hereby certifies that Ordinance 2015-04 was published in the Madison Messenger Newspaper for once a week for two consecutive weeks beginning on the ____ day of _____, 2015 and ending on the ____ day of _____, 2015. See attached sworn affidavit of posting by the newspaper. Further, I certify that a complete copy of the Ordinance was posted in the lobby of Village Hall.

Clerk of Council