

AN ORDINANCE ENACTING SECTION 1301.07 OF THE BUILDING CODE PROVIDING FOR ABANDONED STRUCTURES AND UNOCCUPIED LOTS.

WHEREAS, this Council finds that the continued existence of abandoned and unoccupied structures may cause nuisance conditions in the Village.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Richfield, State of Ohio:

SECTION 1. That Section 1301.07 of the Building Code be enacted to read as follows:

"1301.07 ABANDONED STRUCTURES AND UNOCCUPIED LOTS.

If any structure shall become abandoned for a period of more than one hundred eighty days, such structure shall be presumed to be a nuisance affecting or endangering surrounding property values and to be detrimental to the public health, safety, convenience, comfort, property or general welfare of the community and shall be abated. For the purpose of this section, "abandon" shall mean to give up occupancy in the structure with the intent of never again claiming occupancy in the structure.

Whenever the Zoning Inspector shall find that any structure has been abandoned, he or she shall give notice in the same manner as a service of summons in a civil case or by certified mail addressed to the owner of record of the premises at his or her last known address or to the address to which tax bills are sent, or by a combination of the foregoing methods, to abate such abandoned condition within thirty days by either placing the structure in operation in accordance with this section, by adapting and using the structure for another use permitted in the zoning district, or by razing the structure, removing all debris, signs, goods, supplies and equipment, and filling depressions to the grade level of the lot, provided, however, that if the structure is used after the notice is given and remains in operation for ninety consecutive days, the provisions of this section shall not apply.

Upon the failure, neglect or refusal of any owner to comply with the notice to abate such abandonment, the Zoning Inspector shall advise the Director of Law of all the facts and the Director of Law shall proceed to exercise on behalf of the Village any remedy which shall then be available to it to secure an abatement of such abandonment, including any that pertains to the abatement of a public nuisance, and to recover any damages or enforce any penalties which may be recovered or imposed at the instance of the Village, including all damages reasonable under Ohio R.C. 715.26 and 715.261.

Unoccupied, empty or inoperative structures, whether or not abandoned, together with the lot upon which any such structure is located and with any other unoccupied or empty lot, shall be maintained in accordance with the provisions of this chapter. Any such lot shall be provided with grass or other appropriate

ground cover or landscaping material so as to assure absorption of rainfall and prevent erosion and rapid runoff of surface water. The owner shall cut and maintain all grass or other ground cover and remove all rubbish and weeds from the premises. The parking of motor vehicles upon said premises shall be prohibited, and the Zoning Inspector may order the owner of the premises to install fencing approved by the Zoning Inspector which will be sufficient to block motor vehicle access to said property."

SECTION 2. This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: October 17, 1995

Patricia J. Healy
President of Council

[Signature]
Mayor

Dated: 10/19/95

ATTEST:

Carole Eason
Clerk of Council