

RESOLUTION NO.: 80-2007
INTRODUCED BY: Morgan

A RESOLUTION DECLARING THE PROPERTY KNOWN AS 26102 CHARDON ROAD, PERMANENT PARCEL NUMBER 661-06-034, IN THE CITY OF RICHMOND HEIGHTS, A PUBLIC NUISANCE AND DIRECTING THE DIRECTOR OF LAW TO TAKE ALL LEGAL ACTION NECESSARY TO ABATE THIS NUISANCE, AND DECLARING AN EMERGENCY.

WHEREAS, the Building Code, in part, establishes rules and regulations governing the conditions and maintenance of all property, buildings and structures in the City and ensures the public health, safety and welfare to the extent they are impacted by the continued occupancy and maintenance of structures and premises; and

WHEREAS, in order to protect its property values, the City has made substantial efforts to diligently enforce its Building Code on a uniform basis so that the City will be a safe and attractive community within which to live and do business; and

WHEREAS, in July 2007, the Building Commissioner inspected the gasoline service station located at 26102 Chardon Road, Permanent Parcel Number 661-06-034, in the City of Richmond Heights (hereinafter the "Property") and issued correction orders citing multiple Building Code violations; and

WHEREAS, the Building Code violations at the Property continue to exist and the Property is believed to be abandoned; and

WHEREAS, the Building Commissioner inspected the Property on August 6, 2007 and prepared an inspection report dated August 7, 2007 citing multiple violations of the Building Code, Fire Prevention Code and Streets and Public Services Code which, in the opinion of the Building Commissioner, render the Property a public nuisance, affecting or endangering surrounding property values, and further being detrimental to the health, safety, convenience, comfort, prosperity or general welfare of the City; and

WHEREAS, upon the recommendation of the Building Commissioner, Council has determined that the existing condition of the Property is a public nuisance and 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 26102 Chardon Road, Permanent Parcel Number 661-06-034, in the City of Richmond Heights is hereby declared to be a public nuisance due to the numerous existing violations of the Building Code, Fire Prevention Code and Streets and Public Services Code which render the Property detrimental to the health, safety and general welfare of the community, its property values, and the maintenance of the aesthetics of the community.

Section 2: The Director of Law is hereby directed to take all legal action necessary on behalf of the City to abate the aforesaid public nuisance, including but not limited to the nuisance abatement procedures set forth in R.C. §715.26.

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 hereby 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 to abate a public nuisance existing within the City of Richmond Heights and, therefore, shall take effect and be in force immediately upon its passage and approval by the Mayor.

PASSED: _____

Daniel J. Ursu, Mayor

APPROVED: _____

ATTEST: _____

Betsy Traben
Clerk of Council

David H. Roche
President of Council