

ORDINANCE NO. 9 -69

By W.B. Diet

To provide for the repair and improvement or demolition of unsafe buildings and to declare an emergency.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BEXLEY, OHIO.

Section 1. Definition; nuisance.

All buildings or structures which are structurally unsafe or not provided with adequate egress, or which constitute a fire hazard, or are otherwise dangerous to human life or which in relation to existing use constitute a hazard to health by reason of inadequate maintenance, dilapidation or obsolescence, are for the purpose of this ordinance, "unsafe buildings." All such unsafe buildings are declared to be public nuisances and shall be abated by repair and rehabilitation or by demolition in accordance with the procedure of this ordinance.

Section 2. Notice to owner.

The Building Inspector shall examine or cause to be examined every building or structure or portion thereof reported as or believed to be an unsafe building as defined in Section 1. He shall give written notice to the owner or owners of record, including any purchasers under a recorded land contract and to the persons occupying said building if they are not the owners thereof. The written notice shall specifically state the defects that cause the building to be unsafe and shall state that the work shall commence within thirty days and continue work, either to complete the specified repairs or improvements, or to demolish and remove the building or structure, or portion thereof, leaving the premises in a clean, safe, and sanitary condition, such condition being subject to the approval of the Building Inspector; excepting that in cases of emergency making immediate repairs necessary, the Building Inspector may order the changes or demolition to be made within a shorter period. The notice shall also require the building or portion thereof to be vacated forthwith by the occupants thereof.

Section 3. Service of notice.

Proper service of such notice shall be by personal service, residence service, by registered mail or by certified mail; provided, however, that such notice shall be deemed to be properly served if a copy thereof is sent by registered or certified mail to the last known address. If any of the parties cannot be located, nor can his address be ascertained, this notice shall be deemed to be properly served if a copy thereof is placed in a conspicuous place in or about the building or structure affected by this notice. If such notice is by registered or certified mail, the thirty day period within which such owner is required to comply with the order of the Building Inspector shall begin as of the date he received such notice.

Section 4. Posting of signs.

The Building Inspector shall cause to be posted at each entrance to such building a notice to read: "DO NOT ENTER. UNSAFE TO OCCUPY. DIVISION OF BUILDING REGULATION, CITY OF BEXLEY, OHIO." Such notice shall remain posted until the required repairs are made or demolition is completed. It shall be unlawful for any person to remove such notice without permission of the Building Inspector or for any person to enter the building, except for the purpose of making the required repairs or of demolishing same.

Section 5. Permits.

In all cases of construction or repair pursuant to orders of the Building Inspector, permits covering such work shall be obtained if required by Bexley ordinances.

Section 6. Right to demolish.

In case the owner of record, or the purchaser under a land contract if that be the case, shall fail, neglect or refuse to comply with the notice to repair,

rehabilitate or demolish and remove such building or structure or portion thereof, such party, either the owner of record or the purchaser under a land contract, shall be subject to the provisions of this ordinance and the Building Inspector shall proceed to have the building or structure or portion thereof demolished and removed from the premises, leaving the premises in a clean, safe, and sanitary condition and the cost of such work shall be paid by the City. If the City is not immediately reimbursed for such costs, the amount thereof shall be certified to the County Treasurer and levied as a special assessment against said property on which the building or structure is located and shall be collected in the manner provided for special assessments.

Section 7. Unsafe conditions; reports.

Any owner, manager, lessee, or occupant of a building who discovers or who has reason to believe that there exists, on the premises, a condition which may endanger other property or the life or limb of any person, and such condition cannot be immediately remedied so as to remove any danger therefrom, shall, within twenty-four hours after such discovery, report the existence of such dangerous condition to the Building Inspector who shall forthwith take such steps as may be necessary to protect the public safety and welfare. If the Building Inspector cannot be located, such report shall be made to the Director of Public Safety or the Mayor. No person who is an owner, manager, lessee, or occupant of a building on which premises such a dangerous condition exists and who knows or should know of such dangerous condition shall fail to make such report to either the Building Inspector or the Mayor within twenty-four hours after such knowledge is obtained or should have been obtained.

Section 8. Penalty.

Whoever violates any provision of this Ordinance or valid order issued pursuant thereto, unless otherwise provided, shall be deemed guilty of a misdemeanor. Such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this ordinance is committed, continued or permitted. Upon the conviction of any such violation such person shall be punishable by a fine of not more than fifty dollars (\$50.00).

Section 9. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the city and for the further reason that immediate action needs to be taken to correct hazardous conditions; wherefore, this ordinance shall be in full force and effect from and immediately after its passage and approval by the Mayor.

Passed March 11 1969

J. R. Leabber
President of Council

Attest:

[Signature]
Clerk of Council

Approved: 3/12/69 1969

[Signature]
MAYOR

POSTED 3/12/69