

AMENDED ORDINANCE NO. 46- 08

By: Ben Kessler

An Ordinance to amend Section 1490.15 Notices, Orders and Enforcement Procedures; of the Building and Property Maintenance Code, paragraph (b).

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

Section 1. That Section 1490.15; of the Building and Property Maintenance Code, paragraph (b) is hereby amended as follows:

(b) Notice to Remove.

- (1) A Code Official shall cause a written notice to remove to be served by regular mail or personal service upon the owner, operator or occupant of those premises in violation of Section 1490.13(e), (f), (g) and (h); AND SECTION 1490.12(a) OR ANY OTHER SECTION IN CHAPTER 1490, IF LIFE OR SAFETY ISSUES ARE PRESENT DUE TO THE VIOLATION(S). Such notice shall order the owner, operator or occupant to remove the articles in violation within the stated time as designated in the notice.
- (2) If the owner, operator or occupant to whom a notice to remove is directed fails, neglects or refuses to comply with the requirements of the notice, the Code Official shall cause such articles and/or materials to be removed from the premises and may employ the necessary labor to perform such task.
- (3) Upon the performance of such labor, the Code Official shall issue, by regular mail or by personal service, a report of the costs thereof to the owner, operator or occupant of such premises. The cost of removing the articles in violation, which includes a charge for the use of equipment, transportation, removal/hauling, operator's fee and/or other fees incurred by the City for the performance of labor shall be:
 - A. All direct costs for the removal of such items; plus,
 - B. An administrative fee.
- 4) In the event that the owner, operator, or occupant fails to pay such expenses within thirty (30) days after being notified in writing, by regular mail, of the amount thereof by the Code Official, the expenses set forth in subsection (b)(3) hereof may be collected using one or more of the following methods, provided that the expenses may only be collected once:
 - A. Such expenses may be certified by City Council to the County Auditor and placed upon the tax duplicate for collection as a special assessment; or,
 - B. The City Attorney is authorized to bring suit and take other necessary legal action to collect all such expenses.

Section 2. That this Amended Ordinance shall go into effect and be in force from and after the earliest period allowed by law.

Passed: June 10, 2008

Attest: [Signature]
Clerk of Council

[Signature]
President of Council

Approved: 6-10, 2008

[Signature]
John M. Brennan, Mayor

First Reading 5-13-08

Second Reading
5-27-08

Third Reading 6-10-08