**ORDINANCE NO. 28 - 14**

**By: Steve Keyes**

**An ordinance creating Chapter 1490.15 (d), “Notice to Repair or Improve,” to Chapter 1490.15 of the Bexley Codified Ordinances, in order to allow for the City of Bexley to repair or improve code violations, and collect the expenses associated with said work, in instances where property owners fail, neglect, or refuse to comply with the requirements of code enforcement notices given pursuant to 1490.13 (a) through (d).**

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

**Section 1.**

That 1490.15 (d) shall be added to the Bexley Codified Ordinances to read as follows:

(d) Notice to Repair or Improve.

(1) A Code Official shall cause a written notice to repair or improve to be served by regular mail or personal service upon the owner, operator or occupant of those premises in violation of Section 1490.13 (a) through (d), to repair or improve 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 repair or improve is directed fails, neglects or refuses to comply with the requirements of the notice, the Code Official may cause the needed repair or improvement to be performed and may employ the necessary labor and/or purchase the necessary materials to perform such task.

(3) Upon the performance of such labor and/or the purchase of such materials, 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 repairing or improving in order to remedy the violation, which may include a charge for the use of equipment, transportation, supplies, materials, removal/hauling, operator's fee and/or other fees incurred by the City for the performance thereof shall be:

A. All direct costs for the repair or improvement 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 (d)(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 Ordinance shall go into effect and be in force from and after the earliest period allowed by law.

Passed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2014

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Richard Sharp, President of Council

Attest: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Clerk of Council

Approved: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2014

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Benjamin Kessler, Mayor

First Reading 5-13-14

Second Reading 5-27-14

Third Reading 6-10-14

Passed 6-10-14