

CITY OF ENGLEWOOD
IN
MONTGOMERY COUNTY, OHIO

RESOLUTION NO: 28-22

Date: September 27, 2022

A RESOLUTION: AFFIRMING THE DETERMINATION OF THE HOUSING OFFICER AND AUTHORIZING THE CITY MANAGER TO TAKE IMMEDIATE ACTION TO ABATE THE NUISANCES PURSUANT TO SECTION 1454.09 OF THE ENGLEWOOD PROPERTY MAINTENANCE CODE

WHEREAS, the City has enacted Chapter 1454 of the Codified Ordinances of Englewood, which is entitled “Property Maintenance”; and

WHEREAS, the purpose of Chapter 1454 is to eliminate and prevent blighting effects and hazards to the health, safety, and welfare of the citizens of Englewood; and

WHEREAS, Englewood’s Housing Officer issued a notice of violation to the owners of the real property identified in the title of this resolution; and

WHEREAS, the Notice of Violation instructed the owner to take one of several enumerated actions within five calendar days of receiving the notice, which actions are set forth in the Notice of Violation and in Englewood Property Maintenance Code Section 1454.09(d); and

WHEREAS, the owner has failed to take any of the enumerated actions; and

WHEREAS, Section 1454.09(f) requires the Englewood City Council to either affirm, reverse, or modify the determination of the Housing Officer set forth in the Notice of Violation, and to authorize immediate action by the City Manager to abate the nuisance;

NOW, THEREFORE, BE IT RESOLVED BY THE COUCIL OF THE CITY OF ENGLEWOOD, MONTGOMERY COUNTY, OHIO, AS FOLLOWS:

SECTION I That this resolution is passed by the City Council pursuant to Section 1454.09(f) of the City’s Property Maintenance Code.

SECTION II That the City hereby affirms the determination of the Housing Officer as set forth in the Notice of Violation, including the

existence of the nuisance on the real property located at 422 Durst Drive, 1015 Taywood Road, 305 Westerly Hills Drive and 710 Hile Lane, Englewood, Ohio.

SECTION III

That the City Manager and/or his designee is authorized to take any action he deems appropriate to abate the nuisance, including using City or private labor forces to effect the nuisance abatement.

SECTION IV

The City Manager shall keep record of any and all costs and expenses associated with the abatement of the nuisance as authorized herein, and such costs be assessed and/or collected pursuant to Section 1454.11 of the City's Property Maintenance Code.

SECTION V

It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were taken in an open meeting of this Council, and that all deliberations of this Council and of any committees that resulted in those formal actions were in meetings open to the public in compliance with all legal requirements.

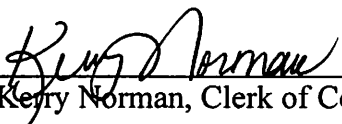
SECTION VI

That this Resolution shall be in full force at the earliest date allowed by law.

PASSED this 27th day of September 2022.

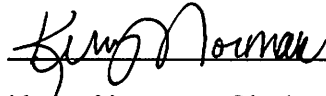

Thomas Franz, Mayor

ATTEST:


Kerry Norman, Clerk of Council

C E R T I F I C A T E

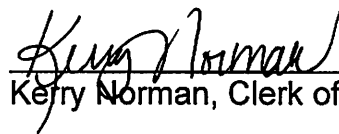
I, Kerry Norman, Clerk of Council of the City of Englewood, Montgomery County, Ohio, do hereby certify the foregoing is a true and correct copy from the ***Record of Proceedings*** of said City. **WITNESS** my signature this 27th day of September, 2022.

A handwritten signature in black ink, appearing to read "Kerry Norman", is written over a horizontal line.

Kerry Norman, Clerk of Council

C E R T I F I C A T E O F P O S T I N G

I, Kerry Norman, Clerk of Council of the City of Englewood, Montgomery County, Ohio, do hereby certify publication of the foregoing **RESOLUTION** was made as designated by Sections 224.01 and 24.02 of the Englewood Code.

A handwritten signature in black ink, appearing to read "Kerry Norman", is written over a horizontal line.

Kerry Norman, Clerk of Council