

CITY OF ENGLEWOOD

IN

MONTGOMERY COUNTY, OHIO

RESOLUTION NO: 21-23

Date: August 22, 2023

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 1041 Heathwood Drive and 404 Whisperwood Drive, Englewood, Ohio.

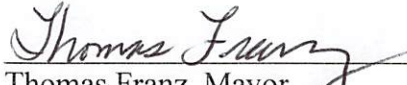
SECTION III That the City Manager and/or his designee is authorized to take any action he deems appropriate to abate the nuisance, including using City or private labor forces to effect the nuisance abatement.

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 22nd day of August 2023.


Thomas Franz, Mayor

ATTEST:


Marla Goodrich, Clerk of Council

C E R T I F I C A T E

I, Marla Goodrich, 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 22nd day of August, 2023.

A handwritten signature in blue ink, reading "Marla Goodrich", is written over a horizontal line.

Marla Goodrich, Clerk of Council

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

I, Marla Goodrich, 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 blue ink, reading "Marla Goodrich", is written over a horizontal line.

Marla Goodrich, Clerk of Council