

ORDINANCE NO. 12- 2005

AN ORDINANCE AUTHORIZING JOSEPH J. DENEN CITY MANAGER OF THE CITY OF WASHINGTON COURT HOUSE OR HIS DESIGNEE TO ABATE PUBLIC NUISANCE AT 227 WEST OHIO AVENUE; AUTHORIZING A PRIVATE CONTRACT FOR PAYMENT OF THE ABATEMENT OF NUISANCE; AND DIRECTING THE COLLECTING OF THE COST OF THE ABATEMENT OF THE NUISANCE FROM THE OWNER OF THE PROPERTY.

WHEREAS, the City Building Inspector, pursuant to 150.083 of the Codified Ordinances of the City of Washington Court House, has inspected the structure located at 227 West Ohio Avenue, and determined the structure to be such an advanced state of disrepair as to endanger the public health and dangerous to the citizens of the City in violation of 150.081 of the Ordinances; and

WHEREAS, the Building Inspector caused notice of repair necessary to correct the violation of 150.081 and served, personally, by certified mail, to Floyd Pence Jr., 227 West Ohio Avenue, Washington C.H., Ohio 43160, the owner of the property located at 227 West Ohio Avenue, Washington Court House, Ohio and described as follows:

See Exhibit "A" attached.

WHEREAS, Floyd Pence Jr. has received certified notice on February 12th and 16th, 2005 that was returned to sender as unclaimed, and

WHEREAS, more than sixty (60) days has elapsed since the receipt of the notice by Floyd Pence Jr. and any other parties who have or claim to have an interest in the above-described property by virtue of the records in the Fayette County Recorder's Office with respect to said property and no appeal of the Building Inspector's determination that the dwelling located at 227 West Ohio Avenue is a public nuisance has been filed,

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WASHINGTON COURT HOUSE, FAYETTE COUNTY, OHIO AS FOLLOWS:

SECTION 1. That the Council of the City of Washington Court House determines that the dwelling located at 227 West Ohio Avenue in the City of Washington Court House is a public nuisance by virtue of the advanced state of disrepair so as to endanger the health, safety and welfare of the residents of the City by reason of its condition in violation of 150.081 of the Codified City Ordinances;

SECTION 2. That the City Manager of the City of Washington Court House or his designee is directed to abate the nuisance by demolition and removal of the dwelling located at 227 West Ohio Avenue.

SECTION 3. That the costs of abatement and removal of the nuisance, if done by private contract, be paid for from City funds hereby specifically authorized in order to abate the nuisance.

SECTION 4. That the owner, Floyd Pence Jr. be billed directly by certified mail for the costs of the abatement and, if not paid within sixty (60) days after receipt, the Clerk of Council is directed to certify the total cost of abatement to the Fayette County Auditor for placement upon the tax duplicate and collected in the manner as real estate taxes by the statutes authorizing such collection.

SECTION 5. That the Clerk of Council is directed to send a copy of this ordinance to Floyd Pence Jr., 227 West Ohio Avenue, Washington C.H., Ohio 43160 at least thirty (30) days before actual demolition.

SECTION 6. That this Ordinance shall take effect and be in full force from and after the earliest date permitted by law.

PASSED: June 22, 2005

Dwight Helms
CHAIRPERSON OF COUNCIL

ATTEST:

Julene M. Keaton
CLERK OF COUNCIL

APPROVED AS TO FORM:

[Signature]
CITY ATTORNEY