

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2014 – 095

By: Mayor Perciak and All Members of Council

**AN ORDINANCE AUTHORIZING AND DIRECTING THE LAW DEPARTMENT TO COMMENCE LITIGATION TO ABATE A NUISANCE AND CAUSE THE REPAIR OR DEMOLITION AND REMOVAL OF AN INSECURE AND UNSAFE RESIDENTIAL STRUCTURE IN THE CITY OF STRONGSVILLE, AND DECLARING AN EMERGENCY.**

WHEREAS, the Building Commissioner of the City has issued written notification to the owner and all mortgage and lien holders of record to repair or demolish and remove an unsafe, insecure and apparently abandoned residential structure located at 19633 Glenmar Way, Strongsville, Ohio (PPN 392-35-080); and

WHEREAS, the property owner has failed to repair or demolish and remove the unsafe and insecure structure which constitutes a public nuisance, and is in violation of various provisions under state and local law;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STRONGSVILLE, COUNTY OF CUYAHOGA AND STATE OF OHIO:

**Section 1.** That this Council hereby finds and determines that the residential structure located on property at 19633 Glenmar Way (PPN 392-35-080) in the City of Strongsville constitutes a public nuisance and hazard to safety and health by reason of inadequate maintenance, incompleteness of structure, abandonment and/or dilapidation.

**Section 2.** That accordingly the Law Department be and is hereby authorized and directed to commence litigation against the owners of the property located at 19633 Glenmar Way in the City of Strongsville, and identified as Permanent Parcel No. 392-35-080 to abate a nuisance and cause the repair or demolition and removal of the insecure and unsafe structure, in accordance with law.

**Section 3.** That the funds for the purposes of the aforesaid litigation be and are hereby appropriated from the General Fund.

**Section 4.** That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council; and that all deliberations of this Council, and any of its committees, that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

**Section 5.** That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare, and for the further reason that it is immediately necessary to commence litigation in order to abate a public nuisance and protect the health and safety of persons and property within the City. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise from and after the earliest period allowed by law.

Michael Daymut  
 President of Council

Approved: Thomas S. Smith  
 Mayor

Date Passed: May 5, 2014

Date Approved: May 6, 2014

	<u>Yea</u>	<u>Nay</u>
Carbone	<u>✓</u>	_____
Daymut	<u>✓</u>	_____
DeMio	<u>✓</u>	_____
Dooner	<u>✓</u>	_____
Maloney	<u>✓</u>	_____
Schonhut	<u>✓</u>	_____
Southworth	<u>✓</u>	_____

Attest: Aimee Pimtko  
 Clerk of Council

ORD. No. 2014-095 Amended: \_\_\_\_\_  
 1st Rdg. 05-05-14 Ref: \_\_\_\_\_  
 2nd Rdg. suspended Ref: \_\_\_\_\_  
 3rd Rdg. suspended Ref: \_\_\_\_\_

Pub Hrg. \_\_\_\_\_ Ref: \_\_\_\_\_  
 Adopted: 05-05-14 Defeated: \_\_\_\_\_