

REQUESTED BY: CITY MANAGER, BILL KOCHER

DATE OF FIRST READING: 2-2-2016 WAIVE RULES? YES ✓ NO

FINAL ACTION DATE: 2-10-2010 VOTE: ✓ YES NO

SUSPENSION OF TWO READING RULE:

| YES | NO |
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ADOPTION OF ORDINANCE:

| YES | NO |
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| <u>✓</u> | <u> </u> |
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DENISE LINGO
 JENNIFER MOODY
 ROBERT PARSONS
 JEANNE GEORGE
 JUDY PETERSEN
 JOSEPH ROETTING
 KISHA DOSA
 TOTALS

ORDINANCE NO. 10-1772

AN ORDINANCE AMENDING CHAPTER 153.15 AND ADDING SECTION 106.6 TO THE CITY OF MT. HEALTHY PROPERTY MAINTENANCE CODE

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MT. HEALTHY, STATE OF OHIO:

Section 1. That Subsection 106.4 and 106.4 (a) through (d) are hereby amended to read as follows:

106.4 Violation penalties. Any person, who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted within the limits as provided herein. Each day that a violation continues after due notice has been served shall be deemed a separate offense. Whoever is convicted or pleads guilty to a Property Maintenance Code shall be guilty of a minor misdemeanor. However:

(a) Whoever is convicted or pleads guilty of a second offense not sooner than 20 days and not later than one year of the same section of the Property Maintenance Code shall be guilty of a misdemeanor of the fourth degree.

(b) Whoever is convicted or pleads guilty of a third offense not sooner than 20 days and not later than one year of the same section of the Property Maintenance Code shall be guilty of a misdemeanor of the third degree.

(c) Whoever is convicted or pleads guilty of a fourth offense not sooner than 20 days and not later than one year of the same section of the Property Maintenance Code shall be guilty of a misdemeanor of the second degree.

(d) Whoever is convicted or pleads guilty of a fifth offense not sooner than 20 days and not later than one year of the same section of the Property Maintenance Code shall be guilty of a misdemeanor of the first degree.

Section 2. That Subsection 106.6 is hereby appended to Chapter 153.15 to read as follows:

106.6 Notice of Violation; Time Allotted for Abatement

(A) In addition to the penalties provided for the violation of this subchapter, the Code Official may cause written notice of the section violation of this subchapter to be served personally upon the owner, occupant or the person having charge of the property involved, by sending said notice to that person by certified or priority mail, or by posting a copy thereof in a conspicuous place on the premises or property involved. This notice shall state the nature of the violation and the time within which it shall be abated (Not Less Than Seven Days). No person so notified shall fail or refuse to comply with this notice.

(B) Subsequent violations within one calendar year of the initial notice as specified in 106.6 (A) may be subject to immediate abatement by the City as per 106.5 without further notification.

Section 3. That this Ordinance shall be in full force and effect from and after the first date provided by law.

Passed this 16 day of February, 2016.

Tom Bolton
President of Council

Attest: Melanie B...
Clerk of Council

Approved this 16 day of February, 2016.

[Signature]
Mayor