

ORDINANCE NO.: 2022-06 (AMENDED MAY 10, 2022) and (AMENDED JUNE 28, 2022) and (AMENDED SEPTEMBER 13, 2022)and(Amended September 27, 2022)and(Amended October 11, 2022)
SPONSOR: MAYOR NEUGEBAUER
PRESENTED BY: DIRECTOR OF LAW DEAN
INTRODUCED: APRIL 26, 2022 **ASSIGNED TO:** _____

AN ORDINANCE TO REPEAL CHAPTER 1480, INTERNATIONAL PROPERTY MAINTENANCE CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF GREEN; AND TO ESTABLISH CHAPTER _____, EXTERIOR PROPERTY MAINTENANCE CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF GREEN, AND PROVIDE FOR IMMEDIATE ENACTMENT.

WHEREAS, the City of Green previously adopted the International Property Maintenance Code;

WHEREAS, the City of Green desires to repeal Chapter 1480, the International Property Maintenance Code;

WHEREAS, the City of Green desires to establish Chapter _____, the Exterior Property Maintenance Code, attached as **Amended** Exhibit “A”, of the City of Green Codified Ordinances; and

WHEREAS, numerous property owners in the City of Green do not want their property values to decline as a result of neighboring property owners’ failure to maintain their property in a safe and sanitary condition; and

WHEREAS, the City of Green desires to protect the public health, safety, and general welfare of its residents as it pertains to the premises and buildings owned by them and used for residential, commercial, and industrial purposes; and

WHEREAS, the City of Green desires to establish minimum standards for maintaining residential, commercial, and industrial quality of property to preserve an acceptable appearance for existing structures and premises;

WHEREAS, the City of Green desires to avoid blighting effects of substandard maintenance of structure and premises and its negative impact on the value of the surround properties; and

WHEREAS, the City of Green desires to eliminate hazardous conditions caused by substandard maintenance of structures and premises; and

WHEREAS, the Board of Zoning Appeals approved this recommendation to Green City Council by a vote of **5-0**; and

WHEREAS, the City of Green desires to provide for the administrative enforcement of this Exterior Property Maintenance Code.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GREEN, COUNTY OF SUMMIT, STATE OF OHIO:

Ordinance 2022-06 (*Amended May 10, 2022*) & (*Amended June 28, 2022*) & (*Amended September 13, 2022*)&(*Amended September 27, 2022*)and (*Amended October 11, 2022*)

SECTION ONE:

Green City Council repeals Chapter 1480, International Property Maintenance Code of the Green Codified Ordinance in total, as follows:

1480.01. — 1998 EDITION ADOPTED.

~~Pursuant to Ohio R.C.731.231, there is hereby adopted by and for the City the International Property Maintenance Code, being particularly the 1998 edition thereof, prepared and promulgated by the International Code Council, save and except such portions thereof as may be hereinafter amended or deleted.~~

1480.02 — PURPOSE.

~~The purpose of the International Property Maintenance Code, as adopted in Section 14801.01, is to provide minimum standards for maintenance, lighting, ventilation, heating, sanitation, fire prevention and protection, space, location, egress, rehabilitation, use and re-use of residential and nonresidential structures.~~

1480.03. — FILE AND DISTRIBUTION COPIES.

~~At least one copy of the International Property Maintenance Code, as adopted in Section 1480.01, is on file with the Clerk of Council for inspection by the public. At least one copy is also on file in the County Law Library. In addition, the Clerk of Council has copies available for distribution to the public, at cost.~~

1480.04 — AMENDMENTS.

~~The following articles and sections of the International Property Maintenance Code, as adopted in Section 1480.01, are hereby amended to read as follows:~~

~~—— CHAPTER 1 — ADMINISTRATOR (Repealed)~~

1480.05 — CONFLICT OF LAWS.

~~In the event of a conflict between any of the provisions of the International Property Maintenance Code, as adopted in Section 1480.01, and any other provisions of these Codified Ordinances or any other ordinance of the City, or between any of the provision of such Code, the more restrictive provision, or the stricter standard, shall control.~~

1480.99 — PENALTY.

~~(a) — Whoever violates or fails to comply with any of the provisions of the International Property Maintenance Code, as adopted in Section 1480.01, is guilty of a misdemeanor of the third degree and shall be fined not more than five hundred dollars (\$500.00) or imprisoned not more than sixty days, or both, for each offense. Unless otherwise provided, a separate offence shall be deemed committed each day during or on which a violation or noncompliance occurs or continues.~~

~~(b) — The application of the penalty provided in subsection (a) hereof shall not be deemed to prevent the enforced removal of prohibited conditions, or the application of any other equitable remedy.~~

Ordinance 2022-06 (*Amended May 10, 2022*) & (**Amended June 28, 2022**) & (*Amended September 13, 2022*)&(*Amended September 27, 2022*)and (*Amended October 11, 2022*)

SECTION TWO:

Green City Council adopts Chapter _____, Exterior Property Maintenance Code, of the Green Codified Ordinances, a copy of which is attached hereto as **Amended** Exhibit "A". The purpose of this Exterior Property Maintenance Code is to protect the public health, safety and general welfare of its residents as it pertains to premises and buildings used for residential, commercial, and industrial purposes.

SECTION THREE:

The City of Green finds and determines that all formal actions of this Council concerning and relating to the adoption of this ordinance were taken in open meetings of this Council and any deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements.

SECTION FOUR:

This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

ADOPTED: _____, 2022

Nichole Messner, Clerk of Council

Dave France, Council President

APPROVED: _____, 2022

Gerard M. Neugebauer, Mayor

ENACTED EFFECTIVE: _____, 2022

ON ROLL CALL: Babbitt _____ Brandenburg _____ DeVitis _____ France _____

Noble _____ Meager _____ Yeargin _____

Southside Leader publication on _____ and _____

Nichole Messner, Clerk of Council

~~9/08/2022-06/23/2022 05/05/2021~~ 04/21/2022 09/27/2022

10/11/22 Approved as to form and content by Lisa Carey Dean, Director of Law _____