

Record of Resolution

Resolution No.: 2016-01

Passed: January 11, 2016

A RESOLUTION TO AUTHORIZE AND DIRECT SOLICITOR TO FILE LAW SUIT FOR ABATEMENT OF NUISANCE AND TO ENFORCE MAINTENANCE OF REAL ESTATE

Whereas, the property owner at 121 South Maple Street, West Lafayette, Ohio, has been noticed to abate all nuisances, maintain and repair his property, and to show a sustained effort within thirty days of the notice; and

Whereas, personal notice was served on the property owner by the Village Administrator on the 21st day of November, 2015; and

Whereas, the Solicitor mailed notice regular US mail with proof of mailing and certified mail on the 20th day of November, 2015; and

Whereas, the property owner has not requested a hearing and has not commenced clean up, the Village Administrator is authorized and directed to contact the Village Solicitor and instruct him to commence legal action if he determines proper action is not being taken after notice; and

NOW THEREFORE, BE IT RESOLVED as follows:

Section 1: Proper notice has been given to the land owner at 121 South Maple Street, West Lafayette, Ohio.

Section 2: The land owner has not requested a hearing.

Section 3: Council declares the real estate at 121 South Maple Street, West Lafayette, Ohio, to constitute a nuisance, in a state of grave disrepair, and declares that the items noted in the notice served by the Village Administrator; namely, those items attached hereto as Exhibit 1, are in need of immediate remediation.

Section 4: The Village Administrator is authorized and directed to contact the Village Solicitor when the Village Administrator determines the notice periods have ended and that no substantial work has commenced or is in progress and the Village Solicitor is then authorized and directed to file a law suit contra the owner to mandate compliance by affirmative injunction and order of the court.

Section 5: That this ordinance is declared to be an emergency necessary for the health, safety, and welfare of the citizens of West Lafayette, Ohio, for reason that the property at 121 South Maple Street, West Lafayette, Ohio, is in deplorable and unhealthful condition and maintenance and remediation is needed immediately.

Dated this 11 day of January, 2016.


Stephen R. Bordenkircher, Mayor

Attest:

Sara Warne
Sara Warne, Clerk-Fiscal Officer

Approved as to form:

William M Owens
William M. Owens, Village Solicitor
Owens & Manning Law Firm

CLERK'S CERTIFICATE

Sara Warne, Clerk-Fiscal Officer attests the foregoing Resolution was published by posting in the Village as required by law this 11 day of January, 2016.

Sara Warne
Sara Warne, Clerk-Fiscal Officer