

RESOLUTION NO. 31-13

BY: **DEBORAH LIME**
(By Request – Building Commissioner)

A RESOLUTION REQUESTING THE BUILDING COMMISSIONER TO INSTITUTE SUMMARY NUISANCE ABATEMENT OF PERMANENT PARCEL NUMBER 449-04-109, 7707 BERTHA AVENUE, PARMA, OHIO, AND DECLARING AN EMERGENCY

WHEREAS, Permanent Parcel Number 449-04-109, 7707 Bertha Avenue, Parma, Parma, Ohio, is considered a public nuisance by reason of the condition in which it presently exists due to fire damage sustained on February 2, 2013, and,

WHEREAS, prior to fire damage received on February 2, 2013, Permanent Parcel Number 449-04-109, 7707 Bertha Avenue, Parma, Ohio, was a public nuisance due to many exterior violations to the main dwelling including damage to chimney; replacement necessary of missing door trim at side entrance door; and clean up yard, trash, junk and debris, garbage, etc.; and interior violations included missing smoke detectors; use of basement as sleeping area; space heaters throughout the dwelling being used as primary source of heat; inoperable furnace; excessive use of extension cords throughout the dwelling; exposed electrical conductors were not protected from physical damage throughout the dwelling; repair was necessary of interior floor in second floor hallway; and repair was necessary of treads, risers and stringers on basement stairway;

WHEREAS, Notices of Violation have been issued in 2012 and 2013;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PARMA, STATE OF OHIO:

Section 1. That the Building Commissioner is hereby requested to act pursuant to the Summary Abatement procedures, Parma Codified Ordinance Section 1527.02 and Ohio Revised Code Sections 715.261 and 715.47, to determine whether Permanent Parcel Number 449-04-109, 7707 Bertha Avenue, Parma, Ohio, is a public nuisance.

Section 2. That the Building Commissioner, if he finds that a public nuisance exists and that the public health, safety, and welfare may be in immediate danger pursuant to Parma Codified Ordinance Section 1527.02(a) and Ohio Revised Code Sections 715.261 and 715.47, is hereby requested to cause a written notice to be served on the titled owner outlining his findings with respect to the existence of a public nuisance that further states that unless the owner thereof causes the abatement of the public nuisance within 24 hours after service of the notice, the same will be abated by the City at the expense of such owner, to be levied against the tax duplicate of said owner(s).

Section 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council; and that all deliberations of the Council and any of its committees that resulted in such formal action were meetings open to the public in compliance with all legal requirements.

Section 4. That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety, and welfare of the City of Parma, and for the further reason that this measure is necessary due to the condition of the property, and this Resolution shall become immediately effective upon receiving the affirmative vote of two-thirds of all members elected to Council and approval of the Mayor, otherwise from and after the earliest period allowed by law.

PASSED: _____
PRESIDENT OF COUNCIL

ATTEST: _____ APPROVED: _____
CLERK OF COUNCIL

FILED WITH
THE MAYOR: _____
MAYOR, CITY OF PARMA, OHIO