

ORDINANCE NO. 61-14

BY: **BRIAN DAY**
(By Request – Safety Director)

AN ORDINANCE TO AMEND CHAPTER 1725
‘NOTIFICATION OF FORECLOSURE FILING’
OF THE CODIFIED ORDINANCES OF THE
CITY OF PARMA, AND DECLARING AN
EMERGENCY

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PARMA, STATE OF OHIO:

Section 1. That Chapter 1725 “Notification of Foreclosure Filing” of the Codified Ordinances of the City of Parma, which presently reads as follows:

“CHAPTER 1725
NOTIFICATION OF FORECLOSURE FILING

1725.01 DEFINITIONS.

As used in this section;

- (a) ‘Person’ means a natural person or any legal entity, including but not limited to, a corporation, firm, partnership, trust, or association. ‘Person’ shall not include a taxing authority filing a foreclosure action due to delinquent property taxes.
- (b) ‘Vacant’ means that no person actually resides in any part of the building or that no person conducts a lawful business in any part of the building.

1725.02 NOTICE TO CITY OF FORECLOSURE FILING.

Any person who files a complaint for foreclosure involving real property located within the City on which there is a building or structure shall notify the City of the filing of the foreclosure complaint and shall file a complete copy of the foreclosure complaint with the Building Commissioner within ten days after the filing of the complaint with the relevant court. The notice to the city shall be on a form prescribed by the Building Commissioner.

1725.03 PERSON RESPONSIBLE FOR MAINTENANCE.

- (a) If the building or structure on the property that is the subject of foreclosure is vacant at the time the foreclosure complaint is filed, then the person filing the foreclosure complaint shall notify the City of the name, address and contact information for the person who will be responsible for maintaining the property.
- (b) If the building or structure on the property that is the subject of foreclosure becomes vacant at any time after the foreclosure complaint is filed, then the person who filed the foreclosure complaint shall notify the City of the name, address and contact information for the person who will be responsible for maintaining the property, and shall otherwise comply with Parma Codified Ordinance Chapter 1715.

1725.04 FEES.

The fee for notice of a foreclosure property is one hundred dollars (\$100.00) for a residential property (one- or two-family structure) and three hundred dollars (\$300.00) for a commercial property (all structures other than one- or two-family structures). The fee shall be paid at the time of notification.”

is hereby amended to read as follows:

"CHAPTER 1725
NOTIFICATION OF FORECLOSURE FILING ~~FORECLOSED PROPERTIES~~

~~1725.02~~ ~~DEFINITIONS.~~

~~As used in this section;~~

~~(c) "Person" means a natural person or any legal entity, including but not limited to, a corporation, firm, partnership, trust, or association. "Person" shall not include a taxing authority filing a foreclosure action due to delinquent property taxes.~~

~~(d) "Vacant" means that no person actually resides in any part of the building or that no person conducts a lawful business in any part of the building.~~

1725.021 NOTICE TO CITY OF FORECLOSURE FILING.

Any person, **OTHER THAN A TAXING AUTHORITY**, who files a complaint for foreclosure involving real property located within the City on which there is a building or structure shall notify the City of the filing of the foreclosure complaint and shall file a complete copy of the foreclosure complaint with the Building Commissioner within ten days after the filing of the complaint with the relevant court. **THE NOTICE MUST PROVIDE THE NAME, ADDRESS AND TELEPHONE NUMBER FOR A PERSON WHO IS RESPONSIBLE FOR MAINTAINING THE PROPERTY SUBJECT TO THE FORECLOSURE COMPLAINT.** The notice to the city shall be on a form prescribed by the Building Commissioner.

~~1725.03~~ ~~PERSON RESPONSIBLE FOR MAINTENANCE.~~

~~(a) If the building or structure on the property that is the subject of foreclosure is vacant at the time the foreclosure complaint is filed, then the person filing the foreclosure complaint shall notify the City of the name, address and contact information for the person who will be responsible for maintaining the property.~~

~~(b) If the building or structure on the property that is the subject of foreclosure becomes vacant at any time after the foreclosure complaint is filed, then the person who filed the foreclosure complaint shall notify the City of the name, address and contact information for the person who will be responsible for maintaining the property, and shall otherwise comply with Parma Codified Ordinance Chapter 1715.~~

1725.0499 FEES.

The fee for notice of a foreclosure property is one hundred dollars (\$100.00) for a residential property **IES WITH** (one-**FAMILY** or two-family structures) and three hundred dollars (\$300.00) for a commercial property **IES WITH** (all **OTHER** structures other than one or two family structures). The fee shall be paid at the time of notification."

Section 2. That Chapter 1725 "Notification of Foreclosure Filing" of the Codified Ordinances of the City of Parma, as it existed heretofore, is hereby repealed.

Section 3. 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 the 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 4. That this Ordinance 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 in order to make this amendment in the Codified Ordinances in the near future, and this Ordinance 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